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Attorneys for Plaintiffs,
 Facebook, Inc. and Instagram, LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

FACEBOOK, INC., a Delaware corporation and
 INSTAGRAM, LLC, a Delaware limited liability
 company,

Plaintiffs,

v.

9 XIU NETWORK (SHENZHEN) TECHNOLOGY
 CO., LTD. a/k/a JIUXIU NETWORK
 (SHENZHEN) TECHNOLOGY CO., LTD.;
 9 XIU FEISHU SCIENCE AND TECHNOLOGY
 COMPANY LTD.;
 9 XIUFEI BOOK TECHNOLOGY CO., LTD.;
 HOME NETWORK (FUJIAN) TECHNOLOGY
 CO., LTD.;
 WEI GAO a/k/a GAO WEI;
 ZHAOCHUN LIU a/k/a/ LIU ZHAOCHUN; and
 ZHAOPING LIU a/k/a LIU ZHAOPING,

Defendants.

Case No. 4:19-cv-1167-JST

**DECLARATION OF DAVID J. STEELE IN
 SUPPORT OF PLAINTIFFS' FIFTH
 MOTION TO CONTINUE CASE
 MANAGEMENT CONFERENCE
 [L.R. 6-1(B)]**

CURRENT DATE: March 17, 2020
 PROPOSED DATE: May 19, 2020

TIME: 2:00 p.m.
 CTRM: Oakland 6 –2nd Floor

Hon. Jon S. Tigar

1 I, David J. Steele, declare as follows:

2 1. I am a partner at Tucker Ellis LLP, attorneys of record for Plaintiffs in this action. I make
3 this declaration based on my personal knowledge and, if called as a witness, would testify competently to
4 each of the following facts.

5 2. Upon the filing of this action, I coordinated the translation into Chinese of all case initiating
6 documents, as well as those required by the local rules, so that they could be served upon Defendants via
7 the Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil and Commercial
8 Matters, Nov. 15, 1965, 20 U.S.T. 361, 658 U.N.T.S. 163 (the “Hague Service Convention”). I also
9 retained the services of Celeste Ingalls of Alan H. Crowe & Associates, Inc. to assist with service via the
10 Hague Convention. Ms. Ingalls is an expert on service of process in foreign countries.

11 3. Because Ms. Ingalls advised me that service of process in China via the Hague Convention
12 would take two years or longer, I arranged to have courtesy copies of the following documents, with a
13 cover letter, sent to Defendants both by email to all of Defendants’ known email addresses and by hand
14 delivery. A copy of that email is attached as Exhibit 1.

- 15 a. Complaint with all Exhibits;
- 16 b. Civil Cover Sheet;
- 17 c. Certificate of Interested Parties;
- 18 d. Corporate Disclosure Statement;
- 19 e. Report on the Filing or Determination of an Action Regarding a Patent or Trademark;
- 20 f. Issued Summons;
- 21 g. Case Assignment to Judge Tigar;
- 22 h. Order Setting Initial Case Management Conference;
- 23 i. Standing Order All Judges;
- 24 j. Judge Tigar’s Standing Order;
- 25 k. Notice of Video;
- 26 l. Notice of Availability of Magistrate Judge;
- 27 m. Electronic Case Filing (ECF) Registration Information Handout; and
- 28 n. Filing Procedures for San Francisco Division.

Also included in the hand delivery package was a waiver of service of process form and prepaid FedEx envelope.

4. As shown in Exhibit 1, I requested that Defendants either conduct the mandatory ADR and Rule 26(f) conferences as required by this Court's order setting a case management conference and related deadlines or, in the alternative, stipulate to continue the case management conference.

5. Shortly after this action was filed, it received coverage from numerous Chinese media outlets. Copies of Chinese news articles concerning this action together with their English translations are attached as Exhibit 2. As can be seen in Exhibit 2, this action was reported in the Chinese media at least as early as Tuesday, March 5, 2019 China Standard Time, which corresponds to Monday, March 4, 2019 local time.

6. Apparently in response to this lawsuit and its media coverage, Defendants took down each of the websites accessible at the infringing and cybersquatting domain names. Although I am unaware of the exact date and time the websites were taken down, I know they were taken down at least as early March 4, 2019 local time.

7. On May 29, 2019, I received an email from an individual purporting to represent Defendant 9 Xiu Network (Shenzhen) Technology Co., Ltd. ("9 Xiu"). A copy of this email is attached as Exhibit 3.

8. In response, I arranged to have a native Chinese speaker employed by my firm, Ying Chen, prepare and send an email in Chinese requesting that Defendants meet and confer on the topics listed in Rule 26(f) or stipulate to continue the case management conference, and agree to waive service of process. A copy of this email without attachments is attached as Exhibit 4. An English translation is attached as Exhibit 5. Although Defendant 9 Xiu replied, it did not address Plaintiffs' requests.

9. On November 22, 2019, Ms. Chen sent a similar email to Defendant 9 Xiu again requesting that Defendant waive service and either meet and confer on the topics required by Rule 26(f) or stipulate to continue the case management conference. In that email, Ms. Chen also explained that Plaintiffs intend to move for default judgment pursuant to Article 15 of the Hague Service Convention. A copy of this email is attached as Exhibit 6 with an English translation attached as Exhibit 7.

10. Before filing this motion, my offices again emailed all Defendants asking them to either meet and confer concerning the Court's ADR and case management requirements or to stipulate to the

1 relief sought in this motion. My offices did not receive a response. Of note, a number of the addresses
2 used resulted in bounce-back notifications. Although I do not currently have a valid email address for
3 Defendant Zhaochun Liu, this Defendant is located at the same address as Zhaoping Liu, and I have been
4 informed by other Defendants in this action that Zhaochun Liu and Zhaoping Liu are husband and wife.

5 11. Aside from the email received from the individual purporting to represent Defendant 9 Xiu,
6 no other Defendant has responded.

7 12. Plaintiffs intend to move for the entry of default under Article 15 of the Hague Service
8 Convention based on not having received back a certificate of service from the Chinese Central Authority
9 for any Defendants. However, while preparing its motion for default, Plaintiffs received notice on March
10 5, 2020 that the Chinese Central Authority unsuccessfully attempted service on 9 Xiu Network (Shenzhen)
11 Technology Co., Ltd. and that the Chinese Central Authority had therefore returned a certificate of
12 attempted service stating that 9 Xiu was no longer located at that address. A copy of this certificate is
13 attached as Exhibit 8.

14 13. In response to having received the certificate of attempted service for 9 Xiu, I had Chinese
15 counsel verify that 9 Xiu is still located at the same address. I therefore believe that Defendant 9 Xiu is
16 evading service, particularly given that, as discussed above, Defendant 9 Xiu has actual knowledge of this
17 litigation and has been in contact with me.

18 14. Because the Defendants have ignored Plaintiffs' requests to meet and confer on the topics
19 listed in Rule 26(f) and have not stipulated to continue the case management conference, Plaintiffs are
20 filing the instant motion. This is the fifth request for the extension of any deadline in this action, and I do
21 not believe that the extension will have an impact on the case schedule given that no scheduling order has
22 yet been entered and given Plaintiffs' intent to move for default judgment under Article 15 of the Hague
23 Service Convention and for alternative service as to 9 Xiu.

24 I declare under penalty of perjury under the laws of the United States that the foregoing is true and
25 correct and that this declaration was executed on May 5, 2020 in Los Angeles, California.

26
27 /s/David J. Steele

28 DAVID J. STEELE

CERTIFICATE OF SERVICE**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

I declare that I am a citizen of the United States and a resident of Los Angeles, California or employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is Tucker Ellis LLP, 515 South Flower Street, Forty-Second Floor, Los Angeles, California 90071-2223.

On **May 5, 2020**, I served the following: **DECLARATION OF DAVID J. STEELE IN SUPPORT OF PLAINTIFFS' FIFTH MOTION TO CONTINUE CASE MANAGEMENT CONFERENCE [L.R.6-1(B)]** on the interested parties in this action as follows:

9 Xiu Network (Shenzhen) Tech. Co., Ltd.
a/k/a Jiuxiu Network (Shenzhen) Tech. Co., Ltd.

9 Xiu Feishu Science and Tech. Co., Ltd.

9 Xiufei Book Technology Co., Ltd.

Home Network (Fujian) Tech. Co., Ltd.

Wei Gao a/k/a Gao Wei

No. 112, Shanghai V Gu, 1 Hao Chengshi

Yongxian Road, Maantang Community,

Bantian Street, Longgand District, Shenzhen

Email: 262740299@qq.com

493661190@qq.com

793661190@qq.com

geeai@qq.com

zubin878@foxmail.com

Zhaochun Liu a/k/a Liu Zhaochun

1002C, 10th Floor, Build A, Haide Building,
 Nan Xin Road Xiang Nan,

Nan Shan Street, Nanshan District, Shenzhen

Email: Anly2016@qq.com

416257666@qq.com

32687976006@qq.com

Zhaoping Liu a/k/a Liu Zhaoping

1002C, 10th Floor, Build A, Haide Building,
 Nan Xin Road Xiang Nan,

Nan Shan Street, Nanshan District, Shenzhen

Email: 416257666@qq.com

3200369367@qq.com

DEFENDANTS

(X) **BY EMAIL:** the above-entitled document to be served electronically by email.

(X) **BY MAIL:** By placing a true copy thereof enclosed in a sealed envelope(s) addressed as above, and placing each for collection and mailing on the below indicated day following the ordinary business practices at Tucker Ellis LLP. I certify I am familiar with the ordinary business practices of my place of employment with regard to collection for mailing with the United States Postal Service. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit or mailing affidavit.

(X) **FEDERAL:** I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on **May 5, 2020**, at Los Angeles, California.

Toni Pierson

Toni Pierson

Exhibit 1

From: [Davidson, Jane](#)
To: ["262740299@qq.com"](#); ["493661190@qq.com"](#); ["793661190@qq.com"](#); ["Anly2016@qq.com"](#); ["416257666@qq.com"](#); ["32687976006@qq.com"](#); ["416257666@qq.com"](#); ["3200369367@qq.com"](#)
Cc: [Steele, David J.](#); [Lauridsen, Steven E.](#)
Subject: Facebook, Inc. v. 9 XIU Network (Shenzhen) Tec. Co. Ltd. et al., No. 3:19-cv-01167 (Tucker Ellis Matter No. 015949-005)
Date: Monday, May 13, 2019 5:11:57 PM
Attachments: [image001.png](#)
[Facebook v. Jiu Xiu Documents \(Original\).zip](#)
[Facebook v. Jiu Xiu Documents \(Translated\).zip](#)

Sent on Behalf of David Steele:

To Whom It May Concern:

We represent Facebook, Inc. and Instagram, LLC (collectively, "Facebook") with respect to certain intellectual property matters. Facebook recently filed a civil lawsuit in the United States District Court for the Northern District of California. You are a named defendant in this lawsuit.

You will be formally served with the lawsuit through the Central Authority for China in accordance with the Hague Convention for Service Abroad of Judicial and Extrajudicial Documents (the "Hague Convention"). To expedite and simplify matters for all involved, we are enclosing with this letter courtesy copies of the pertinent documents filed in the lawsuit. Please note that the delivery of these documents does not constitute formal service of process and does not start the countdown toward your deadline to file an answer in the lawsuit. These documents include:

1. Complaint with Exhibits
 - Exhibit 1: Credit Report
 - Exhibit 2: Facebook Trademark Registrations
 - Exhibit 3: Instagram Trademark Registrations
 - Exhibit 4: 9xiufacebook.com Screenshot
 - Exhibit 5: 9xiufacebook.cc Screenshot
 - Exhibit 6: 9xiufacebook.net Screenshot
 - Exhibit 7: maihaoba.cc Screenshot
 - Exhibit 8: myfacebook.cc Screenshot
 - Exhibit 9: myhaoba.com Screenshot
 - Exhibit 10: 9xiufacebook.com Archive
 - Exhibit 11: 9xiufacebook.com Screenshot
 - Exhibit 12: Whois data
2. Civil Cover Sheet
3. Certificate of Interested Parties
4. Corporate Disclosure Statement
5. Report on the Filing or Determination of an Action Regarding a Patent or Trademark
6. Issued Summons
7. Case Assignment to Judge Tigar
8. Order Setting Initial Case Management Conference
9. Standing Order All Judges
10. Judge Tigar Standing Order
11. Notice of Video
12. Notice of Availability of Magistrate Judge
13. Electronic Case Filing (ECF) Registration Information Handout
14. Filing Procedures for San Francisco Division

As you can see from Document No. 6 listed above, the Court has scheduled a Case Management Conference on June 5, 2019. As set forth in that order, we are required to meet and confer with you or your counsel concerning methods and the selection of alternate dispute resolution in an attempt to resolve this case without going to trial. We are also required to meet and confer with you or your counsel concerning the management of the case and a proposed schedule. The current deadline for this conference is May 15, 2019. Once we have conferred, we need to submit a joint report to the Court before May 29, 2019. Please let us know of a date before May 15, 2019, when you or your counsel are able to discuss these matters.

If we do not hear from you regarding a date to confer, we intend to move the Court to extend the case management conference by three months to September 4, 2019, so that we may have time to meet and confer with you or your counsel before that date. Please let us know whether you will stipulate to moving that date.

Please contact me by telephone at +1 213.430.3360 or by email at david.steele@tuckerellis.com to further discuss this matter.

Sincerely,

TUCKER ELLIS LLP

David J. Steele

Enclosures

Jane Davidson | Law Clerk | Tucker Ellis LLP

515 South Flower Street, Forty-Second Floor | Los Angeles, CA 90071

Direct: 213-430-3030 | Fax: 213-430-3409

jane.davidson@tuckerellis.com

tuckerellis.com

This e-mail is sent by the law firm of Tucker Ellis LLP and may contain information that is privileged or confidential. If you are not the intended recipient, please delete the e-mail and notify us immediately by return email.

Exhibit 2

Media Reporting 1

**SCREENSHOT OF WEBSITE
(ORIGINAL IN SIMPLIFIED CHINESE)**



[百度首页](#) [登录](#)

吴亦凡、蔡徐坤流量谁在刷？Facebook起诉了4家中国数据造假公司

资本邦
03-07 00:02



日前，美国社交平台公司脸书(Facebook)称，其已向美国加利福尼亚北区联邦地区法院提起诉讼，起诉了四家中国公司和三名在中国境内活动人士(下称“被告方”)。

被告：

九秀网络(深圳)网络技术有限公司；

9 Xiu feishu Science and Technology(九秀飞书)；

9 Xiufei Book Technology(九秀飞书)；

Home Network (Fujian) Technology Co.(有家网络)；

九秀网络的大股东、总经理和执行董事高伟及另外两个人。

指控内容：

被告方在2017年至2019年期间，通过运营六家网站，针对脸书及其旗下图片及视频分享社交软件Instagram进行了侵权、违法活动，包括非法推销虚假账户，销售点赞和增粉服务。

1、以侵权抢注域名的名义，要求被告赔偿10万美元并停止侵权行为；

2、要求法院阻止被告方进行以下活动：在Facebook和Instagram上创建和推广虚假账户、销售点赞和“虚假”粉丝、在其网站上侵犯脸书商标、使用脸书



最近更新：03-07 00:02

简介：资本邦（China IPO）

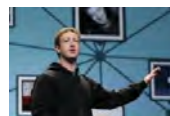
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第18届发审委“首秀”：曾因“毒牛油”被取消审核的天味食品过会

朗姿股份拟用20亿零花钱买理财

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扎克伯格开始反思，Facebook 为何要“变”

钛媒体APP 03-12



Facebook一直在努力打造像微信那样的“万能应

快科技 03-10



Facebook要抄袭微信，之前曾抄抖音，中国科

网络大件事 03-13



Facebook战略转移区块链 暂放弃中国市场

金融界 03-11

品牌的域名。公开资料显示，九秀网络注册于2017年4月，注册资本500万人

百度“存续”状态。

百度首页 登录

海量app
尽情畅玩



Case 3:19-cv-01167 Document 1 Filed 03/01/19 Page 1 of 22

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Attorneys for Plaintiffs,
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UNITED STATES DISTRICT COURT
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FACEBOOK, INC., a Delaware corporation and
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9 XIU NETWORK (SHENZHEN) TECHNOLOGY
CO., LTD. a/k/a JIUXIU NETWORK
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COMPANY LTD.;
9 XIUFEL BOOK TECHNOLOGY CO., LTD.;
HOMENETWORK (FUJIAN) TECHNOLOGY
CO., LTD.;
WEI GAO a/k/a GAO WEI;
ZHAOCHUN LIU a/k/a LIU ZHAOCHUN; and
ZHAOPING LIU a/k/a LIU ZHAOPING,

Defendants.

Case No. 19-1167

COMPLAINT FOR TRADEMARK AND
SERVICE MARK INFRINGEMENT; FALSE
DESIGNATION OF ORIGIN; DILUTION;
CYBERSQUATTING; AND BREACH OF
CONTRACT

DEMAND FOR TRIAL BY JURY

起诉书首页(图片来源: TechCrunch)

虚假账户、销售点赞和“虚假”粉丝等数据造假的现象，我们似乎早已见怪不怪。

2018年11月3日，吴亦凡去美国发新专辑《Antares》，疑似粉丝刷榜事件。



[百度首页](#) [登录](#)

人家歪果仁根本没听过吴亦凡。

还有被央视点名批评的蔡徐坤——



(图片来源：央视新闻截图)

(图片来源：央视新闻截图)

随后，微博上竟出现蔡徐坤公益洗白现象——



(图片来源：微博截图)

该公益活动实际是CCTV6电影频道主办，成龙等百位电影人发起的公益活动。但是话题点进去全部都是蔡徐坤。

真的展示了：始于造假归于造假！

无论是视频网站刷点击量，还是社交媒体买粉丝、电商网站刷销量、直播和短视频平台刷赞数——对于这些互联网平台和平台玩家而言，数据就是金钱。

而“人造数据”往往可以转化为更多的“真金白银”。

Baidu 百度

[百度首页](#) [登录](#)

对于初创互联网公司来说,投资人对公司业绩的重要判断依据就是平台的各类关键指标,如用户量、转化率、日活用户等。这些指标的高低直接影响到:一家公司能否获得投资人的认可和融资。

当一切的根源落到利益二字,想要禁止就不是那么容易了。

不单单是初创公司和脸书状告的那4家公司。2018年10月22日,公众号“小声比比”在《我承认,我们是有组织攻击马蜂窝的》一文中已经揭露了国内旅游行业知名企业“马蜂窝”数据造假现象。

文章显示,马蜂窝有至少7454个抄袭账号,虽然这些账号在用户中占比并不多,但是它贡献了85%的点评!

更有同一用户12次中奖的现象发生——

【有壕奖】SWM斯威汽车G01首席异想官 全球招募 同一智能抄袭账号号在多达12次有奖活动中均有斩获, 得利颇丰——

本次活动的中奖名单新鲜出炉!

案例 1:

一等奖: 奢华异想之旅旅行基金

火爆辣椒 90313588

不会飞的羽毛10 52176153

succubus 59133048

特别奖: 国际米兰俱乐部球星签名球衣 UID 90313588 的账号曾用名“野牛狂奔”, 现为“火爆辣椒”

【获奖名单已公布】投票, 集船票, 厦门金门自由行大奖等你拿!

28607阅读 · 1861评论 · 65顶

小蜂 本次活动大奖得主竟 碰巧是经典抄袭账号

案例 2:

本期活动结束啦~ 感谢蜂蜂的热情参与, 也恭喜以下幸运的获奖蜂蜂! 请及时回复收件信息, 奖品将在相关信息收集、整理完毕后发出, 还请耐心等待哦! ~ 公布中奖名单后的5个工作日内, 请收到获奖私信的蜂蜂们, 尽快回复收货信息:

至少抄袭189名用户, 贡献3057条点评

昇恒昌赞助提供的自由行 19901452 孤独的薰衣草

蚂蜂窝定制公仔: 智能抄袭账号 90313588 野牛狂奔 紧随经典抄袭账号之后

2016奥运会·奖牌争夺战【活动规则】

此UID为90313588的幸运账号还在以下活动中获奖:

有奖活动 | 新州有你更完美! 赢悉尼往返机票+双人自由行

17603阅读 · 56评论 · 25顶

案例 4

案例 5

【获奖名单已公布】黄金海岸和凯恩斯——定制你的奇趣之旅

25021阅读 · 103评论 · 36顶

案例 6

【获奖名单已公布】#谁是你的一拍即合# 等你来答! 有机会赢取日本自由行大奖及蚂蜂窝周边好礼!

123326阅读 · 218评论 · 17顶

案例 7

【获奖名单已公布】先蜂来了第貳期——FUN享春日 艺犹未尽游香港

20789阅读 · 154评论 · 65顶

案例 8

获奖名单公布-【泰爱你520】蚂蜂窝航班即将起飞啦!

15373阅读 · 28评论 · 154顶

案例 9

【获奖名单公布】有大奖|驱 寻味, 在路上追寻绝赞美味

16182阅读 · 59评论 · 18顶

案例 10

【吉祥物第二批奖品发布】又500个投票奖来咯!

6339阅读 · 9评论 · 44顶

案例 11

【获奖名单已公布】#嗨BUY新罗# 跨年季 | 新罗购物达人悬赏招募!

17681阅读 · 139评论 · 17顶

案例 12

(图片来源:“小声比比”公众号)

尽管平台和法律严厉打击刷单增粉的行为，但是数据造假的问题依然屡禁不



[百度首页](#) [登录](#)

存在自有原因。数据造假的背后是一条由流量变现驱动起来的互联网灰色产业链，造假方、平台自身和平台上的入驻商家都是这条产业链上的一环。

这条产业链上甚至已经诞生了专门的刷量公司，它们研发了专用的群控系统，可以通过一台电脑控制成千上万部手机下载、阅读文章、观看视频等刷量操作。

据一份针对小红书刷量商家的调查显示，其刷量业务的销售毛利率可以达到70-80%，利润可谓非常可观。

本文出品：资本邦。作者：郑钰、梅茜。

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Wu Yifan, Cai Xukun Who Is Faking The Page View Counts? Facebook Sued Four Chinese Data Fraud Companies

Capital state

03-07 00:02



A few days ago, [Facebook](#), the [US](#) social platform company, said it had filed a lawsuit in the US Federal District Court for the Northern District of [California](#), indicting four Chinese companies and three activists in China (hereinafter referred to as "the defendant").

- **defendant:**

Jiuxiu Network (Shenzhen) Network Technology Co., Ltd.;

9 Xiu feishu Science and Technology (九秀飞书);

9 Xiufei Book Technology (九秀飞书);

Home Network (Fujian) Technology Co. (Home Network);

Gao Wei, the major shareholder, general manager and executive director of Jiuxiu Network, and two others.

Allegations:

During the period from 2017 to 2019, the defendant conducted infringement and illegal activities against Facebook and its photo and video sharing [social software](#) Instagram through the operation of six websites, including illegal sales of fake accounts, product likes and fans adding services.

1. In the name of the infringement cybersquatting domain name, the defendant is required to compensate 100,000 US dollars and stop the infringement;
2. Require the court to prevent the defendant from doing the following activities: creating and promoting fake accounts, selling praises and "false" fans on [Facebook](#) and Instagram, infringing Facebook trademarks on their websites, and using Facebook brand names.

According to public information, Jiuxiu Network was registered in April 2017 with a registered capital of RMB 5 million and is currently in the "survival" status.

Case 3:19-cv-01167 Document 1 Filed 03/01/19 Page 1 of 22

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9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA

11 FACEBOOK, INC., a Delaware corporation and
 12 INSTAGRAM, LLC, a Delaware limited liability
 company,

13 Plaintiffs,

14 v.

15 9 XIU NETWORK (SHENZHEN) TECHNOLOGY
 CO., LTD. a/k/a JIUXIU NETWORK
 16 (SHENZHEN) TECHNOLOGY CO., LTD.;
 17 9 XIU FEISHU SCIENCE AND TECHNOLOGY
 COMPANY LTD.;
 18 9 XIUFEI BOOK TECHNOLOGY CO., LTD.;
 HOME NETWORK (FUJIAN) TECHNOLOGY
 19 CO., LTD.;
 WEI GAO a/k/a GAO WEI;
 20 ZHAOCHUN LIU a/k/a/ LIU ZHAOCHUN; and
 21 ZHAOPING LIU a/k/a LIU ZHAOPING,

22 Defendants.

Case No. 19-1167

**COMPLAINT FOR TRADEMARK AND
 SERVICE MARK INFRINGEMENT; FALSE
 DESIGNATION OF ORIGIN; DILUTION;
 CYBERSQUATTING; AND BREACH OF
 CONTRACT**

DEMAND FOR TRIAL BY JURY

The home page of the indictment (Source: [TechCrunch](#) reported on March 2)

False accounts, product likes, and "false" fans and other data fraud phenomenon, we are not surprised by this type of news.

On November 3, 2018, [Wu Yifan](#) went to the [United States to](#) release a new album "[Antares](#)", which was suspected of fans faking.



People have never heard of [Wu Yifan](#) .

There is also [Cai Xukun who](#) was criticized by [CCTV](#) .





The charity event was actually a charity event sponsored by CCTV6 film channel and sponsored by hundreds of filmmakers such as Jackie Chan. But the topic points are all about [Cai Xukun](#) .

This truly shows: starting from fraud and returning to fraud!

Whether it's a [video site's](#) clicks, social media fans purchasing, [e-commerce](#) sites, sales, live broadcasts, and short video platforms, the data is money for these [Internet](#) platforms and platform players.

As "artificial data" can often be converted into more "real money."

For start-up Internet companies, the important judgment of investors on the company's performance is based on various key indicators of the platform, such as user volume, conversion rate, and daily users. The level of these indicators directly affects whether a company can obtain investor recognition and [financing](#) .

When the root of everything falls into the word of interest, it is not so easy to want to ban.

Not only the four companies that Facebook sued, on October 22, 2018, the public number "Xiao Sheng Bi Bi" in the article "I admit that we are organized to attack the hornet's nest " has revealed the phenomenon of "hornet's nest" data fraud in the domestic tourism industry.

The article shows that beehive has at least 7454 plagiarized accounts, although these accounts do not account for a large proportion of users, but it contributed 85% of the comments!

There is also phenomenon of 1 user win prize 12 times -

【有壕奖】SWM斯威汽车G01首席异想官 全球招募 同一智能抄袭账号在多达12次有奖活动中均有斩获，得利颇丰——

82469阅读 · 205评论 · 25顶

本次活动的中奖名单新鲜出炉！

案例 1：

一等奖：奢华异想之旅旅行基金

火爆辣椒 90313588

不会飞的羽毛10 52178153

succubus 59135048

特别奖：国际米兰俱乐部球星签名球衣

UID 90313588 的账号曾用名“野牛狂奔”，现为“火爆辣椒”

【获奖名单已公布】按骰子，集船票，厦门金门自由行大奖等你拿！

28697阅读 · 186评论 · 65顶

案例 2：

本期活动结束啦~ 感谢蜂蜂的热情参与，也恭喜以下幸运的获奖蜂蜂！请以下获奖蜂蜂在收到系统通知后，及时回复收件信息，奖品将在相关信息收集、整理完毕后发出，还请耐心等待哦！~ 公布中奖名单后的5个工作日内，请收到获奖私信的蜂蜂们，尽快回复收货信息：

至少抄袭189名用户，贡献3057条评论

昇恒昌赞助提供的自由行

19901452 孤独的薰衣草

智能抄袭账号 紧随经典抄袭账号之后

90313588 野牛狂奔

2016奥运会·奖牌争夺战【活动规则】

此UID为90313588的幸运账号还在以下活动中获奖：

案例 4

有奖活动 | 新州有你更完美！赢悉尼往返机票+双人自由行

68466阅读 · 519评论 · 77顶

案例 5

【获奖名单已公布】黄金海岸和凯恩斯——定制你的奇趣之旅

17603阅读 · 56评论 · 25顶

案例 6

【获奖名单已公布】# 谁是你的一拍即合 # 等你来答！有机会赢取日本自由行大奖及蚂蜂窝周边好礼！

25021阅读 · 103评论 · 36顶

案例 7

【获奖名单已公布】先蜂来了第貳期——FUN享春日 艺犹未尽游香港

123326阅读 · 218评论 · 17顶

案例 8

获奖名单公布-【泰爱你520】蚂蜂窝航班即将起飞啦！

20789阅读 · 154评论 · 65顶

案例 9

【获奖名单公布】有大奖|驱 寻味，在路上追寻绝赞美味

15373阅读 · 28评论 · 154顶

案例 10

【吉祥物第二批奖品发布】又500个投票奖来咯！

16182阅读 · 59评论 · 18顶

案例 11

【获奖名单已公布】#嗨BUY新罗#跨年季 | 新罗购物达人悬赏招募！

6339阅读 · 9评论 · 44顶

案例 12

(Source: "Xiao Sheng Bi Bi" public account)

It is "hornet's nest " like this, which has already received more than one billion dollars in [financing](#) .

Although there are platforms and laws severely cracked down on the fans adding phenomenon, the problem of data fraud has still been unstoppable.

There are reasons for this phenomenon. Behind the data fraud is a gray area industrial chain driven by traffic realization. The fraud parties, the platform itself and the settled merchants on the platform are all part of this industry chain.

In this industry chain, special view count fraud companies have been born. They have developed a dedicated group control system that can control thousands of mobile phones to download, read articles, watch videos and other fraud operations through just one [computer](#) .

According to a survey of small red book merchants, the gross profit margin of its view count fraud business can reach 70-80%, and the profit is very impressive.

Author|Zheng Wei, Mei Xi Source|Capital State

[This article is a comprehensive report of China IPO; if you need to reprint, please send a private.]

Risk Warning: All information presented by Capital State is for investment reference only and does not constitute investment advice. Investment is risky and you need to be cautious when entering the market!

Capital state

Last updated: 03-07 00:02

Introduction: China IPO

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Media Reporting 2

**SCREENSHOT OF WEBSITE
(ORIGINAL IN SIMPLIFIED CHINESE)**

Facebook 决定起诉四家中国公司

原创 | 发布: 2019-03-05 22:35:25 更新: 2019-03-05 22:35:25

阅读 20982 赞 117



世界说

最年轻的国际深度新闻



出售虚假账户、点赞和增粉服务的行为在网络世界“司空见惯”，脸书这次决定不再容忍，对四家中企和3名在中国境内活动的自然人提起了诉讼。

3月1日，美国社交平台公司脸书（Facebook）宣布，其已向美国加利福尼亚北区联邦地区法院提起诉讼，指控四家中国公司和三名在中国境内活动人士（下称被告方）在2017年至2019年期间，通过运营六家网站，针对脸书及其旗下图片及视频分享社交软件Instagram进行了侵权、违法活动，包括非法推销虚假账户，销售点赞和增粉服务。

根据诉讼书，脸书以侵权抢注域名的名义，要求被告赔偿10万美元并停止侵权行为。其要求法院阻止被告方进行以下活动：在Facebook和Instagram上创建和推广虚假账户、销售点赞和“虚假”粉丝；在其网站上侵犯脸书商标；使用脸书品牌的域名。



相关话题

Facebook

网络水军

分享



15	CO., LTD. a/k/a JIUXIU NETWORK
16	(SHENZHEN) TECHNOLOGY CO., LTD.;
17	9 XIU FEISHU SCIENCE AND TECHNOLOGY
18	COMPANY LTD.;
19	9 XIUFEI BOOK TECHNOLOGY CO., LTD.;
20	HOME NETWORK (FUJIAN) TECHNOLOGY
21	CO., LTD.;
22	WEI GAO a/k/a GAO WEI;
23	ZHAOCHUN LIU a/k/a/ LIU ZHAOCHUN; and
24	ZHAOPING LIU a/k/a LIU ZHAOPING,
25	
26	Defendants.

起诉书首页（来源：TechCrunch 3月2日报道）

根据脸书的起诉书，被告的四家中国公司分别为九秀网络（深圳）网络技术有限公司、9 Xiu feishu Science and Technology（九秀飞书）、9 Xiufei Book Technology（九秀飞书），和Home Network (Fujian) Technology Co.（有家网络），这四家公司分别位于广东深圳、福建龙岩，是软件和在线广告服务的提供商。

被告的三人则为九秀网络的大股东、总经理和执行董事高伟和另外两人。公开资料显示，九秀网络注册于2017年4月，注册资本500万人民币，目前为“存续”状态。

当前，被告运营的网站已显示无法访问，但根据其网站历史快照，被告标榜自己为“facebook中国区顶级代理商”、“facebook中国区域战略合作伙伴”，并称其出售的账号“永不封号”。

被告方出售的非法业务主要包括出售拥有大量粉丝基数的脸书、推特、油管（youtube）账号，刷评论、投票和直播人数等。

此外，脸书指出，其还发现被告方在亚马逊（Amazon）、苹果（Apple）、谷歌、领英（LinkedIn）和推特也有类似违法行为。



九秀飞书网站上可看到其业务（来源：九秀飞书网站历史快照）

作为跨国的互联网巨头，脸书和Instagram主要是依据什么条例和法律起诉被告的呢？

根据脸书的起诉书，其指控被告方销售虚假账户（分为使用虚假姓名或身份、从事虚假活动两种），违反了Facebook的服务条款（TOS）和Instagram的使用条款（TOU）。

而利用脸书的商标注册域名、并进行虚假账号推广，则违反了美国的联邦商标法兰哈姆法（Lanham Act），和反网域霸占消费者保护法（ACPA）。

脸书称，虚假帐户可用于发送垃圾邮件和钓鱼活动、虚假信息活动、营销骗局、广告欺诈，以及其他大规模盈利的欺诈计划。其在起诉书中表示，在2018年1月至9月期间，其与Instagram停用了超过21亿个虚假账户。



据信息技术公司新闻平台TechCrunch 3月2日报道，对于脸书来说，商标侵权并不新鲜。TechCrunch指出，本次被告方应该是进行了相当大规模的侵权行为，以致引起脸书的愤怒。

虚假账号问题已成为许多互联网社交、购物平台的“心病”，而互联网公司利用法律“打假”事件也早有发生。

早在2015年，线上购物平台亚马逊就开始针对虚假账号在其网站上虚假评论、作假五星好评的行为采取法律行动，起诉了在美国境内运营的“买亚马逊评论”的网站及个人。

在打击假货方面，2019年，亚马逊还发起了“零计划（Project Zero）”，计划授权在其平台上售卖的品牌，直接利用产品序列号等技术（无需平台授权），自主识别和清除假冒商品。

此外，2018年1月，据纽约时报报道，美国公司Devumi在推特和其他社交媒体平台上，出售数亿虚假粉丝。在业务关闭前，Devumi拥有20万客户，包括真人秀明星、职业运动员、喜剧演员、模特等。随后，纽约总检察长施奈德曼（Eric Schneiderman）宣布对其展开调查。



2019年1月，纽约总检察长宣布与Devumi达成和解，后者的行为被认定为非法，Devumi老板还需纽约州上缴5万美元的调查费。

虽有上述判决虚假卖赞、卖粉行为违法的先例，据美国科技新闻媒体The Verge 3月2日报道，此前案件中的被告均为美国境内实体，想要起诉海外公司可能会更艰难。但The Verge也指出，无论结果如何，脸书正致力于通过诉讼传达这样一个观念——出售虚假账户将引起法律侵权问题。

世界说

谢雯雯

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TA said

Facebook Decided To Sue Four Chinese Companies

Original | Published: 2019-03-05 22:35:25 Update: 2019-03-05



The sale of fake accounts, likes and fan-adding services is common in the online world. Facebook decided this time to no longer tolerate this act and have filed lawsuit against four Chinese companies and three natural persons operating in China.

On March 1st, Facebook, the US social platform company, announced that it had filed a lawsuit in the US District Court for the Northern District of California, accusing four Chinese companies and three activists in China (hereinafter referred to as the defendant) in 2017. During the period from 2017 to 2019, through the operation of six websites, infringement and illegal activities were carried out on Facebook and its photo and video sharing social software Instagram, including illegal sales of fake accounts, likes and fan adding services.

According to the lawsuit, Facebook claimed the defendant to compensate 100,000 US dollars and stop the infringement and illegal activities. It asked the court to prevent the defendant from doing the following activities: creating and promoting fake accounts, sales of likes and "false" fans on Facebook and Instagram; infringing Facebook trademarks on its website; using Facebook branded domain names.

Case 3:19-cv-01167 Document 1 Filed 03/01/19 Page 1 of 22	
<p>1 TUCKER ELLIS LLP David J. Steele - SBN 209797 2 david.steele@tuckerellis.com Howard A. Kroll - SBN 100981 3 howard.kroll@tuckerellis.com Steven E. Lauridsen - SBN 246364 4 steven.lauridsen@tuckerellis.com 515 South Flower Street 5 Forty-Second Floor Los Angeles, CA 90071 6 Telephone: 213.430.3400 Facsimile: 213.430.3409 7 8 Attorneys for Plaintiffs, Facebook, Inc. and Instagram, LLC</p>	<p>9 10 UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA 11 12 FACEBOOK, INC., a Delaware corporation and INSTAGRAM, LLC, a Delaware limited liability company. 13 14 Plaintiffs, v. 15 9 XIU NETWORK (SHENZHEN) TECHNOLOGY CO., LTD. a/k/a JIUXIU NETWORK 16 (SHENZHEN) TECHNOLOGY CO., LTD.; 9 XIU FEISHU SCIENCE AND TECHNOLOGY 17 COMPANY LTD.; 9 XIUFEI BOOK TECHNOLOGY CO., LTD.; 18 HOME NETWORK (FUJIAN) TECHNOLOGY CO., LTD.; 19 WEI GAO a/k/a GAO WEI; 20 ZHAOCHUN LIU a/k/a/ LIU ZHAOCHUN; and ZHAOPING LIU a/k/a LIU ZHAOPING, 21 22 Defendants.</p>
<p>Case No. 19-1167</p> <p>COMPLAINT FOR TRADEMARK AND SERVICE MARK INFRINGEMENT; FALSE DESIGNATION OF ORIGIN; DILUTION; CYBERSQUATTING; AND BREACH OF CONTRACT</p> <p>DEMAND FOR TRIAL BY JURY</p>	

Homepage of the indictment (Source: [TechCrunch](#) reported on March 2)

Homepage of the indictment (Source: TechCrunch reported on March 2)

According to Facebook's indictment, the defendants' four Chinese companies are Jiuxiu Network (Shenzhen) Network Technology Co., Ltd., 9 Xiu feishu Science and Technology (9 Xiufei Book), and 9 Xiufei Book Technology (Jiu Xiu Fei Book), and Home Network (Fujian) Technology Co. (Home Network), these four companies are located in Shenzhen, Guangdong, Longyan, Fujian, and are the providers of software and online advertising services.

The three defendants were Gao Wei and two other shareholders, general manager and executive director of Jiu Xiu Network. According to public information, Jiuxiu Network was registered on April 2017 with a registered capital of RMB 5 million and is currently in the "survival" status.

Currently, the website operated by the defendant has been shown to be inaccessible, but according to the historical snapshot of the website, the defendant advertised itself as "the top agent of Facebook in China" and "Facebook China regional strategic partner", and said that the account it sold "will never be banned".

The illegal business sold by the defendant mainly includes the sale of Facebook, Twitter, YouTube account, comments blasting, voting and number of live broadcasts with a large fan base.

In addition, Facebook pointed out that it also found that the defendant has similar violations on Amazon, Apple, Google, LinkedIn and Twitter.



You can see its business on the website of Jiu Xiu Feishu (Source: Historical snapshot of Jiuxiu Feishu website)

As a multinational Internet giant, Facebook and Instagram are mainly based on what regulations and laws to prosecute defendants?

According to Facebook's indictment, it accused the defendant of selling false accounts (using false names or identities, engaging in false activities), in violation of Facebook's Terms of Service (TOS) and Instagram's Terms of Use (TOU).

The use of Facebook's trademark to register domain names and carry out false account promotion violates the US federal trademark Lanham Act and the Anti-Domain Anti-Consumer Protection Act (ACPA).

According to Facebook, fake accounts can be used to send spam and phishing campaigns, fake information campaigns, marketing scams, advertising fraud, and other large-scale profitable fraud schemes. In the indictment, it stated that between January and September 2018, it had disabled more than 2.1 billion fake accounts with Instagram.

According to information technology company news platform TechCrunch reported on March 2, for Facebook, trademark infringement is not new. TechCrunch pointed out that this time the defendant should have carried out a considerable amount of infringement, which caused the anger of Facebook.

The problem of false account has become the "heart disease" of many Internet social and shopping platforms, and the use of the law to "counterfeit" by Internet companies has also occurred.

As early as 2015, Amazon, the online shopping platform, began to take legal action against false accounts on its website for false comments and false five-star praises, and sued the "Buy Amazon Review" websites and individuals operating in the United States.

In the fight against counterfeit goods, in 2019, Amazon also launched the "Project Zero", which plans to authorize brands sold on its platform to directly identify and eliminate counterfeits using technologies such as product serial numbers (no brand authorization required).

In addition, in January 2018, according to the New York Times, the US company Devumi sold hundreds of millions of fake fans on Twitter and other social media platforms. Before the business closed, Devumi had 200,000 customers, including reality TV stars, professional athletes, comedians, models and more. Subsequently, New York Attorney General Eric Schneiderman announced his investigation.



In January 2019, the Attorney General of New York announced a settlement with Devumi, whose actions were found to be illegal, and Devumi's boss also required New York State to pay a \$50,000 investigation fee.

Despite the precedent of the above-mentioned judgments of false praises and illegal selling of fans, according to the US technology news media The Verge reported on March 2nd, the defendants in the previous cases were all entities in the United States, and it may be more difficult to sue overseas companies. But The Verge also pointed out that regardless of the outcome, Facebook is working to convey the idea through litigation that selling false accounts will cause legal infringement.

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The world says

Xie Wenwen

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The world says

The youngest international in-depth news



The US election has made Facebook, Google, etc. break the heart: young people, please vote for it..
Silicon Valley



The App Store, which was captured by small ads, is better called the AD Store.

Love fan



After the crash, where is the big African aviation ambition of Ethiopia?


The world says

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Media Reporting 3

**SCREENSHOT OF WEBSITE
(ORIGINAL IN SIMPLIFIED CHINESE)**



世界说 最年轻的国际深度新闻

Facebook决定起诉四家中国公司

原创 | 2019-03-05 22:35:25



出售虚假账户、点赞和增粉服务的行为在网络世界“司空见惯”，脸书这次决定不再容忍，对四家中企和3名在中国境内活动的自然人提起了诉讼。

3月1日，美国社交平台公司脸书（Facebook）宣布，其已向美国加利福尼亚北区联邦地区法院提起诉讼，指控四家中国公司和三名在中国境内活动人士（下称被告方）在2017年至2019年期间，通过运营六家网站，针对脸书及其旗下图片及视频分享社交软件Instagram进行了侵权、违法活动，包括非法推销虚假账户，销售点赞和增粉服务。

根据诉讼书，脸书以侵权抢注域名的名义，要求被告赔偿10万美元并停止侵权行为。其要求法院阻止被告方进行以下活动：在Facebook和Instagram上创建和推

← 虚假账户、销售点赞和“虚假”粉丝，在其网站上侵犯脸书商标；使用脸书品牌
 的域名。 百度百科-TA说

Case 3:19-cv-01167 Document 1 Filed 03/01/19 Page 1 of 22

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 10 UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

11 FACEBOOK, INC., a Delaware corporation and
 INSTAGRAM, LLC, a Delaware limited liability
 12 company,
 13 Plaintiffs,
 14 v.
 15 9 XIU NETWORK (SHENZHEN) TECHNOLOGY
 CO., LTD. a/k/a JIUXIU NETWORK
 16 (SHENZHEN) TECHNOLOGY CO., LTD.;
 9 XIU FEISHU SCIENCE AND TECHNOLOGY
 17 COMPANY LTD.;
 9 XIUFEI BOOK TECHNOLOGY CO., LTD.;
 18 HOME NETWORK (FUJIAN) TECHNOLOGY
 CO., LTD.;
 19 WEI GAO a/k/a GAO WEI;
 20 ZHAOCHUN LIU a/k/a/ LIU ZHAOCHUN; and
 ZHAOPING LIU a/k/a LIU ZHAOPING,
 21 Defendants.
 22

Case No. 19-1167

COMPLAINT FOR TRADEMARK AND
 SERVICE MARK INFRINGEMENT; FALSE
 DESIGNATION OF ORIGIN; DILUTION;
 CYBERSQUATTING; AND BREACH OF
 CONTRACT

DEMAND FOR TRIAL BY JURY

TUCKER ELLIS LLP
 Chicago • Cleveland • Columbus • Houston • Los Angeles • San Francisco • St. Louis

起诉书首页（来源：TechCrunch 3月2日报道）

根据脸书的起诉书，被告的四家中国公司分别为九秀网络（深圳）网络技术有限公司、9 Xiu feishu Science and Technology（九秀飞书）、9 Xiufei Book Technology（九秀飞书），和Home Network (Fujian) Technology Co.（有家网络），这四家公司分别位于广东深圳、福建龙岩，是软件和在线广告服务的提供商。

被告的三人则为九秀网络的大股东，总经理和执行董事高伟和另外两人。公开资料显示，九秀网络注册于2017年4月，注册资本500万人民币，目前为“存续”状态。

当前，被告运营的网站已显示无法访问，但根据其网站历史快照，被告标榜自己为“facebook中国区顶级代理商”、“facebook中国区域战略合作伙伴”，并称其出售的账号“永不封号”。

被告方出售的非法业务主要包括出售拥有大量粉丝基数的脸书、推特、油管（youtube）账号，刷评论、投票和直播人数等。

此外，脸书指出，其还发现被告方在亚马逊（Amazon）、苹果（Apple）、谷歌、领英（LinkedIn）和推特也有类似违法行为。

The screenshot displays the homepage of '9 Show Fly Book' (九秀飞书), a website offering social media services. The header includes the logo and tagline: 'Facebook, Google, Twitter, Youtube, LinkedIn, www.360myhao.cc 立足中国，触及世界，中国区域顶级合作伙伴，NO.1当仁不让'. Below the header, a navigation bar lists services like '账号购买', '账号推广', and '点赞加粉'. A row of social media icons (Facebook, Pinterest, Twitter, Google+, LinkedIn, Google, YouTube, Instagram) is shown. Two prominent banners advertise 'Facebook 3000+ 粉丝实名不封账号' and 'Youtube 1000+ 订阅实名不封号'. A third banner, titled '疯狂秒杀', lists services like 'Facebook身份实名固件永不封账号' and 'Facebook亚马逊测评永不封号'.

九秀飞书网站上可看到其业务（来源：九秀飞书网站历史快照）

作为跨国的互联网巨头，脸书和Instagram主要是依据什么条例和法律起诉被告的呢？

根据脸书的起诉书，其指控被告方销售虚假账户（分为使用虚假姓名或身份、从事虚假活动两种），违反了Facebook的服务条款（TOS）和instagram的使用条款（TOU）。

而利用脸书的商标注册域名、并进行虚假账号推广，则违反了美国的联邦商标法兰哈姆法（Lanham Act），和反网域霸占消费者保护法（ACPA）。

脸书称，虚假帐户可用于发送垃圾邮件和钓鱼活动、虚假信息活动、营销骗局、广告欺诈，以及其他大规模盈利的欺诈计划。其在起诉书中表示，在2018年1月至9月期间，其与Instagram停用了超过21亿个虚假账户。

据信息技术公司新闻平台TechCrunch 3月2日报道，对于脸书来说，商标侵权并不新鲜。TechCrunch指出，本次被告方应该是进行了相当大规模的侵权行为，以致引起脸书的愤怒。

虚假账号问题已成为许多互联网社交、购物平台的“心病”，而互联网公司用利用法律“打假”事件也早有发生。

早在2015年，线上购物平台亚马逊就开始针对虚假账号在其网站上虚假评论、作假五星好评的行为采取法律行动，起诉了在美国境内运营的“买亚马逊评论”的网站及个人。

在打击假货方面，2019年，亚马逊还发起了“零计划（Project Zero）”，计划授权在其平台上售卖的品牌，直接利用产品序列号等技术（无需平台授权），自主识别和清除假冒商品。

此外，2018年1月，据纽约时报报道，美国公司Devumi在推特和其他社交媒体平台上，出售数亿虚假粉丝。在业务关闭前，Devumi拥有20万客户，包括真人秀明星、职业运动员、喜剧演员、模特等。随后，纽约总检察长施奈德曼（Eric Schneiderman）宣布对其展开调查。





百度百科·TA说



2019年1月，纽约总检察长宣布与Devumi达成和解，后者的行为被认定为非法，Devumi老板还需纽约州上缴5万美元的调查费。

虽有上述判决虚假卖赞、卖粉行为违法的先例，据美国科技新闻媒体The Verge 3月2日报道，此前案件中的被告均为美国境内实体，想要起诉海外公司可能会更艰难。但The Verge也指出，无论结果如何，脸书正致力于通过诉讼传达这样一个观念——出售虚假账户将引起法律侵权问题。

世界说

谢雯雯

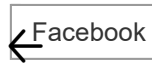
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百度百科·TA说



赞赏

2019-03-05

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世界说

最年轻的国际深度新闻

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美国大选让Facebook、Google等操碎了心：年轻人，求你们投票吧..

硅谷密探 2016-11-07



被小广告攻占的 App Store，不如改名叫 AD Store 吧

爱范儿 2017-12-17



坠机之后，埃塞俄比亚的大非洲航空野心何处安放

世界说 2019-03-12

**SCREENSHOT OF TRANSLATION FROM
SIMPLIFIED CHINESE INTO ENGLISH**



<https://wapbaike.baidu.com/tashuo/browse/content?id=7e4db7414b1d644e5dd90c39>

GLOBUS: The Youngest International In-Depth News

Facebook Decided To Sue Four Chinese Companies

Original | 2019-03-05 22:35:25



The sale of fake accounts, likes and fan-adding services is common in the online world. Facebook decided this time to no longer tolerate this act and have filed lawsuit against four Chinese companies and three natural persons operating in China.

On March 1st, Facebook, the US social platform company, announced that it had filed a lawsuit in the US District Court for the Northern District of California, accusing four Chinese companies and three activists in China (hereinafter referred to as the defendant) in 2017. During the period from 2017 to 2019, through the operation of six websites, infringement and illegal activities were carried out on Facebook and its photo and video sharing social software Instagram, including illegal sales of fake accounts, likes and fan adding services.

According to the lawsuit, Facebook claimed the defendant to compensate 100,000 US dollars and stop the infringement and illegal activities. It asked the court to prevent the defendant from doing the following activities: creating and promoting fake accounts, sales of likes and "false" fans on Facebook and Instagram; infringing Facebook trademarks on its website; using Facebook branded domain names.

Case 3:19-cv-01167 Document 1 Filed 03/01/19 Page 1 of 22

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9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**

11 FACEBOOK, INC., a Delaware corporation and
INSTAGRAM, LLC, a Delaware limited liability
12 company,
13 Plaintiffs,
14 v.
15 9 XIU NETWORK (SHENZHEN) TECHNOLOGY
CO., LTD. a/k/a JIUXIU NETWORK
16 (SHENZHEN) TECHNOLOGY CO., LTD.;
9 XIU FEISHU SCIENCE AND TECHNOLOGY
17 COMPANY LTD.;
9 XIUFEI BOOK TECHNOLOGY CO., LTD.;
18 HOME NETWORK (FUJIAN) TECHNOLOGY
CO., LTD.;
19 WEI GAO a/k/a GAO WEI;
20 ZHAOCHUN LIU a/k/a/ LIU ZHAOCHUN; and
ZHAOPING LIU a/k/a LIU ZHAOPING,
21
22 Defendants.

Case No. 19-1167

**COMPLAINT FOR TRADEMARK AND
SERVICE MARK INFRINGEMENT; FALSE
DESIGNATION OF ORIGIN; DILUTION;
CYBERSQUATTING; AND BREACH OF
CONTRACT**

DEMAND FOR TRIAL BY JURY

TUCKER ELLIS LLP
Chicago • Cleveland • Columbus • Dallas • Denver • Detroit • Los Angeles • San Francisco • Seattle • St. Louis

Homepage of the indictment (Source: TechCrunch reported on March 2)

According to Facebook's indictment, the defendants' four Chinese companies are Jiuxiu Network (Shenzhen) Network Technology Co., Ltd., 9 Xiu feishu Science and Technology (9 Xiufei Book), and 9 Xiufei Book Technology (Jiu Xiu Fei Book), and Home Network (Fujian) Technology Co. (Home Network), these four companies are located in Shenzhen, Guangdong, Longyan, Fujian, and are the providers of software and online advertising services.

The three defendants were Gao Wei and two other shareholders, general manager and executive director of Jiu Xiu Network. According to public information, Jiuxiu Network was registered on April 2017 with a registered capital of RMB 5 million and is currently in the "survival" status.

Currently, the website operated by the defendant has been shown to be inaccessible, but according to the historical snapshot of the website, the defendant advertised itself as

“the top agent of Facebook in China” and “Facebook China regional strategic partner”, and said that the account it sold “will never be banned”.

The illegal business sold by the defendant mainly includes the sale of Facebook, Twitter, YouTube account, comments blasting, voting and number of live broadcasts with a large fan base.

In addition, Facebook pointed out that it also found that the defendant has similar violations on Amazon, Apple, Google, LinkedIn and Twitter.



You can see its business on the website of Jiu Xiu Feishu (Source: Historical snapshot of Jiuxiu Feishu website)

As a multinational Internet giant, Facebook and Instagram are mainly based on what regulations and laws to prosecute defendants?

According to Facebook's indictment, it accused the defendant of selling false accounts (using false names or identities, engaging in false activities), in violation of Facebook's Terms of Service (TOS) and Instagram's Terms of Use (TOU).

The use of Facebook's trademark to register domain names and carry out false account promotion violates the US federal trademark Lanham Act and the Anti-Domain Anti-Consumer Protection Act (ACPA).

According to Facebook, fake accounts can be used to send spam and phishing campaigns, fake information campaigns, marketing scams, advertising fraud, and other large-scale profitable fraud schemes. In the indictment, it stated that between January and September 2018, it had disabled more than 2.1 billion fake accounts with Instagram.

According to information technology company news platform TechCrunch reported on March 2, for Facebook, trademark infringement is not new. TechCrunch pointed out that at this time the defendant should have carried out a considerable amount of infringement, which caused the anger of Facebook.

The problem of false account has become the "heart disease" of many Internet social and shopping platforms, and the use of the law to "counterfeit" by Internet companies has also occurred.

As early as 2015, Amazon, the online shopping platform, began to take legal action against false accounts on its website for false comments and false five-star praises, and sued the "Buy Amazon Review" websites and individuals operating in the United States.

In the fight against counterfeit goods, in 2019, Amazon also launched the "Project Zero", which plans to authorize brands sold on its platform to directly identify and eliminate counterfeits using technologies such as product serial numbers (no brand authorization required).

In addition, in January 2018, according to the New York Times, the US company Devumi sold hundreds of millions of fake fans on Twitter and other social media platforms. Before the business closed, Devumi had 200,000 customers, including reality TV stars, professional athletes, comedians, models and more. Subsequently, New York Attorney General Eric Schneiderman announced his investigation.



In January 2019, the Attorney General of New York announced a settlement with Devumi, whose actions were found to be illegal, and Devumi's boss also required New York State to pay a \$50,000 investigation fee.

Despite the precedent of the above-mentioned judgments of false praises and illegal selling of fans, according to the US technology news media The Verge reported on March 2nd, the defendants in the previous cases were all entities in the United States, and it may be more difficult to sue overseas companies. But The Verge also pointed out that regardless of the outcome, Facebook is working to convey the idea through litigation that selling false accounts will cause legal infringement.

GLOBUS

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Facebook Network Water Army

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2019-03-05

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The US election has made Facebook, Google, etc. break the heart: young people, please vote for it..

Silicon Valley Secret Agent 2016-11-07



The App Store, which was captured by small ads, is better called the AD Store.

Love Faner 2017-12-17



After the crash, where is the big African aviation ambition of Ethiopia?

The world says 2019-03-12

Media Reporting 4

**SCREENSHOT OF WEBSITE
(ORIGINAL IN SIMPLIFIED CHINESE)**



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分享到

原创 吴亦凡、蔡徐坤流量谁在刷? Facebook起诉了4家中国数据造假公司

2019-03-06 23:55

互联网 / Facebook / 手机



日前,美国社交平台公司脸书(Facebook)称,其已向美国加利福尼亚北区联邦地区法院提起诉讼,起诉了四家中国公司和三名在中国境内活动人士(下称“被告方”).

被告:

九秀网络(深圳)网络技术有限公司;

9 Xiu feishu Science and Technology(九秀飞书);

9 Xiufei Book Technology(九秀飞书);

Home Network (Fujian) Technology Co.(有家网络);

九秀网络的大股东、总经理和执行董事高伟及另外两个人。

指控内容:

被告方在2017年至2019年期间,通过运营六家网站,针对脸书及其旗下图片及视频分享社交软件Instagram进行了侵权、违法活动,包括非法推销虚假账户,销售点赞和增粉服务。

1、以侵权抢注域名的名义,要求被告赔偿10万美元并停止侵权行为;

2、要求法院阻止被告方进行以下活动:在Facebook和Instagram上创建和推广虚假账户、销售点赞和“虚假”粉丝、在其网站上侵犯脸书商标、使用脸书品牌的域名。公开资料显示,九秀网络注册于2017年4月,注册资本500万人民币,目前为“存续”状态。

Case 3:19-cv-01167 Document 1 Filed 03/01/19 Page 1 of 22
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大家都在搜: 2018年225起空难



热门图集



裸体蒙娜丽莎将展出 或为达芬奇本人作品



比艺人还“红”的经纪度回应频繁上热搜



默多克公司被收购 邓文迪的两女儿或将得超250...



“雌雄同体”,她超越之美!



24小时热文



A股大跌后连涨两日:05、行情再现,历史真的在轮.. 7.4



各国女兵丑闻曝光:印度最惨,日本最开放,美国最.. 19



中国等停飞波音,美国最.. 事将发生! 贸易赤字将进..



起诉书首页(图片来源: TechCrunch 3月2日报道)

虚假账户、销售点赞和“虚假”粉丝等数据造假的现象，我们似乎早已见怪不怪。

2018年11月3日，吴亦凡去美国发新专辑《Antares》，疑似粉丝刷榜事件。



人家歪果仁根本没听过吴亦凡。

还有被央视点名批评的蔡徐坤——



搜狐号推荐



联系我们



(图片来源:央视新闻截图)

随后,微博上竟出现蔡徐坤公益洗白现象——



(图片来源:微博截图)

该公益活动实际是CCTV6电影频道主办,成龙等百位电影人发起的公益活动。但是话题点进去全部都是蔡徐坤。

真的展示了:始于造假归于造假!

无论是视频网站刷点击量,还是社交媒体买粉丝、电商网站刷销量、直播和短视频平台刷赞数——对于这些互联网平台和平台玩家而言,数据就是金钱。

而“人造数据”往往可以转化为更多的“真金白银”。

对于初创互联网公司来说,投资人对公司业绩的重要判断依据就是平台的各类关键指标,如用户量、转化率、日活用户等。这些指标的高低直接影响到:一家公司能否获得投资人的认可和融资。

当一切的根源落到利益二字,想要禁止就不是那么容易了。

不单单是初创公司和脸书状告的那4家公司。2018年10月22日,公众号“小声比比”在《我承认,我们是有组织攻击马蜂窝的》一文中已经揭露了国内旅游行业知名企业“马蜂窝”数据造假现象。

文章显示,马蜂窝有至少7454个抄袭账号,虽然这些账号在用户中占比并不多,但是它贡献了85%的点评!

【有壕奖】SWM斯威汽车G01首席
异想官 全球招募 同一智能抄袭账
82469阅读 · 205评论 · 25顶

号在多达12次有奖
活动中均有斩获，
得利颇丰——
本次活动的中奖名单新鲜出炉！
案例 1：
一等奖：奢华异想之旅旅行基金
火爆辣椒 90313588
不会飞的羽毛10 52170153
succubus 59138048

特别奖：国际米兰俱乐部球星签名球衣
UID 90313588 的账号曾用名“野
牛狂奔”，现为“火爆辣椒”
【获奖名单已公布】掷骰子，集船
票，厦门金门自由行大奖等你拿！
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本次活动大奖得主竟
案例 2：碰巧是经典抄袭账号
本期活动结束啦~ 感谢蜂蜂的热情参
与，也恭喜以下幸运的获奖蜂蜂！请以
下获奖蜂蜂在收到系统通知后，及时回
复收件信息，奖品将在相关信息收集、
整理完毕后发出，还请耐心等待哦！~
公布中奖名单后的5个工作日内，请收到
获奖私信的蜂蜂们，尽快回复收货信
息：
至少抄袭189名用户，贡献3057
条点评
异恒昌赞助提供的自由行
19901452 孤独的薰衣草

智能抄袭账号
90313588 野牛狂奔
紧随经典抄袭
账号之后

2016奥运会·奖牌争夺战【活动规
则】
此UID为90313588的幸运
68468阅读 · 519评论 · 77顶
账号还在以下活动中获奖：
有奖活动 | 新州有你更完美！赢悉尼
往返机票+双人自由行
17603阅读 · 56评论 · 25顶
案例 5

【获奖名单已公布】黄金海岸和凯恩
斯——定制你的奇趣之旅
25021阅读 · 103评论 · 36顶
案例 6

【获奖名单已公布】#谁是你的一拍
即合#等你来答！有机会赢取日本自
由行大奖及蚂蜂窝周边好礼！
123326阅读 · 218评论 · 17顶
案例 7

【获奖名单已公布】先蜂来了第贰期
—— FUN享春日 艺犹未尽游香港
20789阅读 · 154评论 · 65顶
案例 8

获奖名单公布-【泰爱你520】蚂蜂窝
航班即将起飞啦！
15373阅读 · 28评论 · 154顶
案例 9

【获奖名单公布】有大奖|驱 寻味，
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【吉祥物第二批奖品发布】又500个
投票奖来咯！
6339阅读 · 9评论 · 44顶
案例 11

【获奖名单已公布】#嗨BUY新罗#
跨年季 | 新罗购物达人悬赏招募！
17681阅读 · 139评论 · 17顶
案例 12

(图片来源:“小声比比”公众号)

就是这样的“马蜂窝”，此前已经拿到了十多亿美元的融资。

尽管平台和法律严厉打击刷单增粉的行为，但是数据造假的问题依然屡禁不止。

存在自有原因。数据造假的背后是一条由流量变现驱动起来的互联网灰色产业链，造假方、平台自身和平台上的入驻商家都是这条产业链上的一环。

这条产业链上甚至已经诞生了专门的刷量公司，它们研发了专用的群控系统，可以通过一台电脑控制成千上万部手机下载、阅读文章、观看视频等刷量操作。

据一份针对小红书刷量商家的调查显示，其刷量业务的销售毛利率可以达到70-80%，利润可谓非常可观。

本文出品：资本邦。作者：郑钰、梅茜。

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**SCREENSHOT OF TRANSLATION FROM
SIMPLIFIED CHINESE INTO ENGLISH**

• Wu Yifan, Cai Xukun Who Is Faking The Page View Counts? Facebook Sued Four Chinese Data Fraud Companies

2019-03-06 23:55 [Internet](#) [Facebook](#) [Mobile](#)



A few days ago, [Facebook](#), the [US](#) social platform company, said it had filed a lawsuit in the US Federal District Court for the Northern District of [California](#), indicting four Chinese companies and three activists in China (hereinafter referred to as "the defendant").

• **defendant:**

Jiuxiu Network (Shenzhen) Network Technology Co., Ltd.;

9 Xiu feishu Science and Technology (九秀飞书);

9 Xiufei Book Technology (九秀飞书);

Home Network (Fujian) Technology Co. (Home Network);

Gao Wei, the major shareholder, general manager and executive director of Jiuxiu Network, and two others.

Allegations:

During the period from 2017 to 2019, the defendant conducted infringement and illegal activities against Facebook and its photo and video sharing [social software](#) Instagram through the

operation of six websites, including illegal sales of fake accounts, product likes and fans adding services.

1. In the name of the infringement cybersquatting domain name, the defendant is required to compensate 100,000 US dollars and stop the infringement;
2. Require the court to prevent the defendant from doing the following activities: creating and promoting fake accounts, selling praises and "false" fans on Facebook and Instagram, infringing Facebook trademarks on their websites, and using Facebook brand names.

According to public information, Jiuxiu Network was registered in April 2017 with a registered capital of RMB 5 million and is currently in the "survival" status.

Case 3:19-cv-01167 Document 1 Filed 03/01/19 Page 1 of 22

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8 Facebook, Inc. and Instagram, LLC

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA

11 FACEBOOK, INC., a Delaware corporation and
12 INSTAGRAM, LLC, a Delaware limited liability
company,

13 Plaintiffs,

14 v.

15 9 XIU NETWORK (SHENZHEN) TECHNOLOGY
CO., LTD. a/k/a JIUXIU NETWORK
16 (SHENZHEN) TECHNOLOGY CO., LTD.;
17 9 XIU FEISHI SCIENCE AND TECHNOLOGY
COMPANY LTD.;
18 9 XIUFEI BOOK TECHNOLOGY CO., LTD.;
HOME NETWORK (FUJIAN) TECHNOLOGY
19 CO., LTD.;
20 WEI GAO a/k/a GAO WEI;
ZHAOCHUN LIU a/k/a/ LIU ZHAOCHUN; and
21 ZHAOPING LIU a/k/a LIU ZHAOPING,

22 Defendants.

Case No. 19-1167

COMPLAINT FOR TRADEMARK AND
SERVICE MARK INFRINGEMENT; FALSE
DESIGNATION OF ORIGIN; DILUTION;
CYBERSQUATTING; AND BREACH OF
CONTRACT

DEMAND FOR TRIAL BY JURY

The home page of the indictment (Source: [TechCrunch](#) reported on March 2)

False accounts, product likes, and "false" fans and other data fraud phenomenon, we are not surprised by this type of news.

On November 3, 2018, [Wu Yifan](#) went to the [United States](#) to release a new album " [Antares](#) ", which was suspected of fans faking.



People have never heard of [Wu Yifan](#) .

There is also [Cai Xukun](#) who was criticized by [CCTV](#) .



The charity event was actually a charity event sponsored by CCTV6 film channel and sponsored by hundreds of filmmakers such as Jackie Chan. But the topic points are all about Cai Xukun .

This truly shows: starting from fraud and returning to fraud!

Whether it's a [video site's](#) clicks, social media fans purchasing, [e-commerce](#) sites, sales, live broadcasts, and short video platforms, the data is money for these [Internet](#) platforms and platform players.

As "artificial data" can often be converted into more "real money."

For start-up Internet companies, the important judgment of investors on the company's performance is based on various key indicators of the platform, such as user volume, conversion rate, and daily users. The level of these indicators directly affects whether a company can obtain investor recognition and [financing](#) .

When the root of everything falls into the word of interest, it is not so easy to want to ban.

Not only the four companies that Facebook sued, on October 22, 2018, the public number "Xiao Sheng Bi Bi" in the article "I admit that we are organized to attack the [hornet's nest](#) " has revealed the phenomenon of "hornet's nest" data fraud in the domestic tourism industry.

The article shows that beehive has at least 7454 plagiarized accounts, although these accounts do not account for a large proportion of users, but it contributed 85% of the comments!

There is also phenomenon of 1 user win prize 12 times -

**【有壕奖】SWM斯威汽车G01首席
异想官 全球招募 同一智能抄袭账**

82469阅读 · 205评论 · 25顶



小蜂 Lv44

3月14日

号在多达12次有奖

活动中均有斩获，

得利颇丰——

本次活动的中奖名单新鲜出炉！

案例 1:

🏆一等奖：奢华异想之旅旅行基金

火爆辣椒 **90313588**

不会飞的羽毛10 52178153

succubus 59133048

🏆特别奖：国际米兰俱乐部球星签名球衣

UID 90313588 的账号曾用名“野

牛狂奔”，现为“火爆辣椒”

【获奖名单已公布】投骰子，集船票，厦门金门自由行大奖等你拿！

28697阅读 · 186评论 · 65顶



小蜂 Lv44

2018年5月6日

本次活动大奖得主竟

案例 2: 碰巧是经典抄袭账号

🌟本期活动结束啦~ 感谢蜂蜂的热情参与，也恭喜以下幸运的获奖蜂蜂！请以下获奖蜂蜂在收到系统通知后，及时回复收件信息，奖品将在相关信息收集、整理完毕后发出，还请耐心等待哦！~ 公布中奖名单后的5个工作日内，请收到获奖私信的蜂蜂们，尽快回复收货信息：)

至少抄袭189名用户，贡献3057

🏆昇恒昌赞助提供的自由行

19901452 孤独的薰衣草

条点评

🏆蚂蜂窝定制公仔：

90313588 野牛狂奔

智能抄袭账号

紧随经典抄袭

账号之后

2016奥运会·奖牌争夺战【活动规则】

此UID为90313588的幸运

68466阅读 · 519评论 · 77顶

账号还在以下活动中获奖：

有奖活动 | 新州有你更完美！赢悉尼往返机票+双人自由行

17603阅读 · 56评论 · 25顶

案例 4

案例 5

【获奖名单已公布】黄金海岸和凯恩斯——定制你的奇趣之旅

25021阅读 · 103评论 · 36顶

案例 6

【获奖名单已公布】#谁是你的一拍即合#等你来答！有机会赢取日本自由行大奖及蚂蜂窝周边好礼！

123326阅读 · 218评论 · 17顶

案例 7

【获奖名单已公布】先蜂来了第贰期——FUN享春日 艺犹未尽游香港

20789阅读 · 154评论 · 65顶

案例 8

获奖名单公布-【泰爱你520】蚂蜂窝航班即将起飞啦！

15373阅读 · 28评论 · 154顶

案例 9

【获奖名单公布】有大奖|驱 寻味，在路上追寻绝赞美味

16182阅读 · 59评论 · 18顶

案例 10

【吉祥物第二批奖品发布】又500个投票奖来咯！

6339阅读 · 9评论 · 44顶

案例 11

【获奖名单已公布】#嗨BUY新罗#跨年季 | 新罗购物达人悬赏招募！

17681阅读 · 139评论 · 17顶

案例 12

(Source: "Xiao Sheng Bi Bi" public account)

It is "[hornet's nest](#)" like this, which has already received more than one billion dollars in [financing](#).

Although there are platforms and laws severely cracked down on the fans adding phenomenon, the problem of data fraud has still been unstoppable.

There are reasons for this phenomenon. Behind the data fraud is a gray area industrial chain driven by traffic realization. The fraud parties, the platform itself and the settled merchants on the platform are all part of this industry chain.

In this industry chain, special view count fraud companies have been born. They have developed a dedicated group control system that can control thousands of mobile phones to download, read articles, watch videos and other fraud operations through just one [computer](#).

According to a survey of small red book merchants, the gross profit margin of its view count fraud business can reach 70-80%, and the profit is very impressive.

Author|Zheng Wei, Mei Xi Source|Capital State

[This article is a comprehensive report of China IPO; if you need to reprint, please send a private.]

Risk Warning: All information presented by Capital State is for investment reference only and does not constitute investment advice. Investment is risky and you need to be cautious when entering the market!

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我来说两句

3人参与, 3条评论



登录并发表

[搜狐“我来说两句”用户公约](#)

最新评论

Media Reporting 5

**SCREENSHOT OF WEBSITE
(ORIGINAL IN SIMPLIFIED CHINESE)**

Facebook决定起诉四家中国公司

世界说 2019-03-05 21:32:00

世 界 说

谢雯雯

出售虚假账户、点赞和增粉服务的行为在网络世界 " 司空见惯 "，脸书这次决定不再容忍，对四家中企和 3 名在中国境内活动的自然人提起了诉讼。

3 月 1 日，美国社交平台公司脸书（Facebook）宣布，其已向美国加利福尼亚北区联邦地区法院提起诉讼，指控四家中国公司和三名在中国境内活动人士（下称被告方）在 2017 年至 2019 年期间，通过运营六家网站，针对脸书及其旗下图片及视频分享社交软件 Instagram 进行了侵权、违法活动，包括非法推销虚假账户，销售点赞和增粉服务。

根据诉讼书，脸书以侵权抢注域名的名义，要求被告赔偿 10 万美元并停止侵权行为。其要求法院阻止被告方进行以下活动：在 Facebook 和 Instagram 上创建和推广虚假账户、销售点赞和 " 虚假 " 粉丝；在其网站上侵犯脸书商标；使用脸书品牌的域名。

Case 3:19-cv-01167 Document 1 Filed 03/01/19 Page 1 of 22

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Facebook, Inc. and Instagram, LLC

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10 UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

11 FACEBOOK, INC., a Delaware corporation and
INSTAGRAM, LLC, a Delaware limited liability
12 company.

Case No. 19-1167

COMPLAINT FOR TRADEMARK AND
SERVICE MARK INFRINGEMENT; FALSE

San Francisco • St. Louis

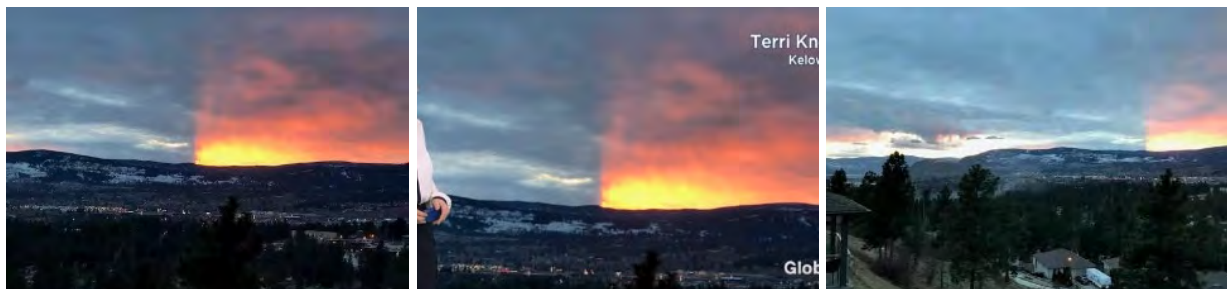
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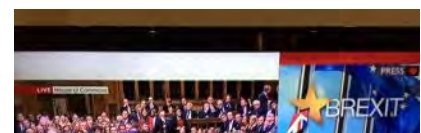
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加拿大惊现“阴阳天”



环球网

英国“脱欧”协议又被否决了，下一步咋办？



**SCREENSHOT OF TRANSLATION FROM
SIMPLIFIED CHINESE INTO ENGLISH**

<http://www.ttdailynews.com/detail.htm?id=1729467&cid=571000&channel=>

Facebook Decided To Sue Four Chinese Companies

The world says
2019-03-05
21:32:00

The world says

Xie Wenwen

The sale of fake accounts, likes and fan-adding services is common in the online world. Facebook decided this time to no longer tolerate this act and have filed lawsuit against four Chinese companies and three natural persons operating in China.

On March 1st, Facebook, the US social platform company, announced that it had filed a lawsuit in the US District Court for the Northern District of California, accusing four Chinese companies and three activists in China (hereinafter referred to as the defendant) in 2017. During the period from 2017 to 2019, through the operation of six websites, infringement and illegal activities were carried out on Facebook and its photo and video sharing social software Instagram, including illegal sales of fake accounts, likes and fan adding services.

According to the lawsuit, Facebook claimed the defendant to compensate 100,000 US dollars and stop the infringement and illegal activities. It asked the court to prevent the defendant from doing the following activities: creating and promoting fake accounts, sales of likes and "false" fans on Facebook and Instagram; infringing Facebook trademarks on its website; using Facebook branded domain names.

Case 3:19-cv-01167 Document 1 Filed 03/01/19 Page 1 of 22

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Facebook, Inc. and Instagram, LLC

9
10 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA

11 FACEBOOK, INC., a Delaware corporation and
INSTAGRAM, LLC, a Delaware limited liability
12 company.
13 Plaintiffs,
14 v.
15 9 XIU NETWORK (SHENZHEN) TECHNOLOGY
CO., LTD. a/k/a JIUXIU NETWORK
16 (SHENZHEN) TECHNOLOGY CO., LTD.;
9 XIU FEISHU SCIENCE AND TECHNOLOGY
17 COMPANY LTD.;
9 XIUFEI BOOK TECHNOLOGY CO., LTD.;
18 HOME NETWORK (FUJIAN) TECHNOLOGY
CO., LTD.;
19 WEI GAO a/k/a GAO WEI;
20 ZHAOCHUN LIU a/k/a/ LIU ZHAOCHUN; and
ZHAOPING LIU a/k/a LIU ZHAOPING,
21
22 Defendants.

Case No. 19-1167

**COMPLAINT FOR TRADEMARK AND
SERVICE MARK INFRINGEMENT; FALSE
DESIGNATION OF ORIGIN; DILUTION;
CYBERSQUATTING; AND BREACH OF
CONTRACT**

DEMAND FOR TRIAL BY JURY

TUCKER ELLIS LLP
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Homepage of the indictment (Source: [TechCrunch](#) reported on March 2)

Homepage of the indictment (Source: TechCrunch reported on March 2)

According to Facebook's indictment, the defendants' four Chinese companies are Jiuxiu Network (Shenzhen) Network Technology Co., Ltd., 9 Xiu feishu Science and Technology (9 Xiufei Book), and 9 Xiufei Book Technology (Jiu Xiu Fei Book), and Home Network (Fujian) Technology Co. (Home Network), these four companies are

located in Shenzhen, Guangdong, Longyan, Fujian, and are the providers of software and online advertising services.

The three defendants were Gao Wei and two other shareholders, general manager and executive director of Jiu Xiu Network. According to public information, Jiuxiu Network was registered on April 2017 with a registered capital of RMB 5 million and is currently in the “survival” status.

Currently, the website operated by the defendant has been shown to be inaccessible, but according to the historical snapshot of the website, the defendant advertised itself as “the top agent of Facebook in China” and “Facebook China regional strategic partner”, and said that the account it sold “will never be banned ”.

The illegal business sold by the defendant mainly includes the sale of Facebook, Twitter, YouTube account, comments blasting, voting and number of live broadcasts with a large fan base.

In addition, Facebook pointed out that it also found that the defendant has similar violations on Amazon, Apple, Google, LinkedIn and Twitter.

9秀飞书 Facebook, Google, Twitter, Youtube, LinkedIn,
 www.360myhao.cc 立足中国, 触及世界, 中国区域顶级合作伙伴, NO.1当仁不让

facebook账号出售批发, facebook3000+粉丝账号出售, facebook点赞刷粉加好友视频观看量, twitter账号出售批发, twitter推特万粉账号出售, youtube1000订阅号出售, google企业邮箱出售批发, 谷歌邮箱出售批发, youtube账号出售批发, skout账号出售批发, linkedin领英账号出售批发, Tumblr汤博乐账号, 美国电话号码google voice等出售, 亚马逊刷单, facebook推广, Twitter推广, 谷歌推广, SEO推广, youtube推广, linkedin推广, 账号加粉友粉评论刷票 流程: 浏览网站选择购买->联系客服->给订单号->发货

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疯狂秒杀 Facebook身份实名固件永不封账号 Facebook亚马逊测评永不封号
Facebook刷评论, 刷投票, 加粉, 加友 刷直播人数
Twitter万粉号 Youtube订阅号 Facebook3000好友账号

You can see its business on the website of Jiu Xiu Feishu (Source: Historical snapshot of Jiuxiu Feishu website)

As a multinational Internet giant, Facebook and Instagram are mainly based on what regulations and laws to prosecute defendants?

According to Facebook's indictment, it accused the defendant of selling false accounts (using false names or identities, engaging in false activities), in violation of Facebook's Terms of Service (TOS) and Instagram's Terms of Use (TOU).

The use of Facebook's trademark to register domain names and carry out false account promotion violates the US federal trademark Lanham Act and the Anti-Domain Anti-Consumer Protection Act (ACPA).

According to Facebook, fake accounts can be used to send spam and phishing campaigns, fake information campaigns, marketing scams, advertising fraud, and other large-scale profitable fraud schemes. In

the indictment, it stated that between January and September 2018, it had disabled more than 2.1 billion fake accounts with Instagram.

According to information technology company news platform TechCrunch reported on March 2, for Facebook, trademark infringement is not new. TechCrunch pointed out that this time the defendant should have carried out a considerable amount of infringement, which caused the anger of Facebook.

The problem of false account has become the "heart disease" of many Internet social and shopping platforms, and the use of the law to "counterfeit" by Internet companies has also occurred.

As early as 2015, Amazon, the online shopping platform, began to take legal action against false accounts on its website for false comments and false five-star praises, and sued the "Buy Amazon Review" websites and individuals operating in the United States.

In the fight against counterfeit goods, in 2019, Amazon also launched the "Project Zero", which plans to authorize brands sold on its platform to directly identify and eliminate counterfeits using technologies such as product serial numbers (no brand authorization required).

In addition, in January 2018, according to the New York Times, the US company Devumi sold hundreds of millions of fake fans on Twitter and other social media platforms. Before the business closed, Devumi had 200,000 customers, including reality TV stars, professional athletes, comedians, models and more. Subsequently, New York Attorney General Eric Schneiderman announced his investigation.



In January 2019, the Attorney General of New York announced a settlement with Devumi, whose actions were found to be illegal, and Devumi's boss also required New York State to pay a \$50,000 investigation fee.

Despite the precedent of the above-mentioned judgments of false praises and illegal selling of fans, according to the US technology news media The Verge reported on March 2nd, the defendants in the previous cases were all entities in the United States, and it may be more difficult to sue overseas companies. But The Verge also pointed out that regardless of the outcome, Facebook is working to convey the idea through litigation that selling false accounts will cause legal infringement.



△ Jiu Xiu Fei Book uses the name of the face name to register the domain name (Source: Jiuxiu Feishu website history snapshot)

END

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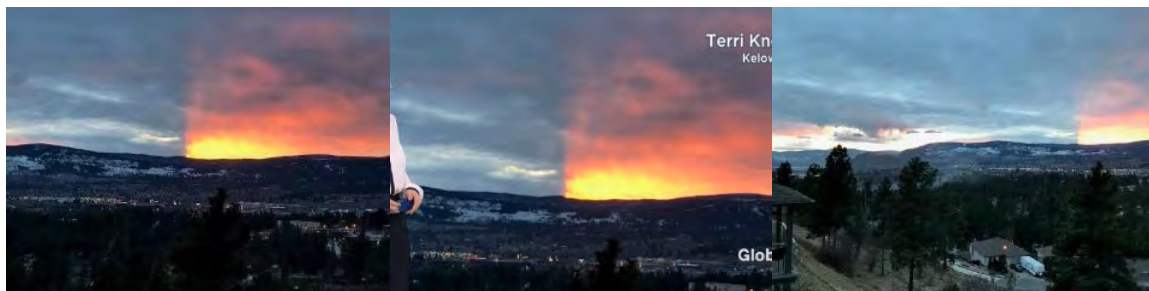
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Media Reporting 6

**SCREENSHOT OF WEBSITE
(ORIGINAL IN SIMPLIFIED CHINESE)**

Facebook决定起诉四家中国公司

原创 世界说 2019.3.5 一点号

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出售虚假账户、点赞和增粉服务的行为在网络世界“司空见惯”，脸书这次决定不再容忍，对四家中企和3名在中国境内活动的自然人提起了诉讼。

3月1日，美国社交平台公司脸书（Facebook）宣布，其已向美国加利福尼亚北区联邦地区法院提起诉讼，指控四家中国公司和三名在中国境内活动人士（下称被告方）在2017年至2019年期间，通过运营六家网站，针对脸书及其旗下图片及视频分享社交软件Instagram进行了侵权、违法活动，包括非法推销虚假账户，销售点赞和增粉服务。

根据诉讼书，脸书以侵权抢注域名的名义，要求被告赔偿10万美元并停止侵权行为。其要求法院阻止被告方进行以下活动：在Facebook和Instagram上创建和推广虚假账户、销售点赞和“虚假”粉丝；在其网站上侵犯脸书商标；使用脸书品牌的域名。

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3天前

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UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

FACEBOOK, INC., a Delaware corporation and
INSTAGRAM, LLC, a Delaware limited liability
company,

Plaintiffs,

v.

9 XIU NETWORK (SHENZHEN) TECHNOLOGY
CO., LTD. a/k/a JIUXIU NETWORK
(SHENZHEN) TECHNOLOGY CO., LTD.;
9 XIU FEISHU SCIENCE AND TECHNOLOGY
COMPANY LTD.;
9 XIUFEI BOOK TECHNOLOGY CO., LTD.;
HOME NETWORK (FUJIAN) TECHNOLOGY
CO., LTD.;

Case No. 19-1167

COMPLAINT FOR TRADEMARK AND
SERVICE MARK INFRINGEMENT; FALSE
DESIGNATION OF ORIGIN; DILUTION;
CYBERSQUATTING; AND BREACH OF
CONTRACT

DEMAND FOR TRIAL BY JURY



起诉书首页 (来源: [TechCrunch](#) 3月2日报道)

根据脸书的起诉书, 被告的四家中国公司分别为九秀网络(深圳)网络技术有限公司、9 Xiu feishu Science and Technology (九秀飞书)、9 Xiufei Book Technology (九秀飞书), 和Home Network (Fujian) Technology Co. (有家网络), 这四家公司分别位于广东深圳、[福建龙岩](#), 是软件和在线广告服务的提供商。

被告的三人则为九秀网络的大股东、总经理和执行董事高伟和另外两人。公开资料显示, 九秀网络注册于2017年4月, 注册资本500万人民币, 目前为“存续”状态。

当前, 被告运营的网站已显示无法访问, 但根据其网站历史快照, 被告标榜自己为“facebook中国区顶级代理商”、“facebook中国区域战略合作伙伴”, 并称其出售的账号“永不封号”。

被告方出售的非法业务主要包括出售拥有大量粉丝基数的脸书、推特、油管(youtube)账号, 刷评论、投票和直播人数等。

此外, 脸书指出, 其还发现被告方在亚马逊(Amazon)、苹果(Apple)、谷歌、领英(LinkedIn)和推特也有类似违法行为。



九秀飞书网站上可看到其业务 (来源: 九秀飞书网站历史快照)

作为跨国的互联网巨头, 脸书和Instagram主要是依据什么条例和法律起诉被告的呢?

根据脸书的起诉书, 其指控被告方销售虚假账户(分为使用虚假姓名或身份、从事虚假活动两种), 违反了Facebook的服务条款(TOS)和Instagram的使用条款(TOU)。

而利用脸书的商标注册域名、并进行虚假账号推广, 则违反了美国的联邦商标法兰哈姆法(Lanham Act), 和反网域霸占消费者保护法(ACPA)。

脸书称, 虚假帐户可用于发送垃圾邮件和钓鱼活动、虚假信息活动、营销骗局、广告欺诈, 以及其他大规模盈利的欺诈计划。其在起诉书中表示, 在2018年1月至9月期间, 其与Instagram停用了超过21亿个虚假账户。

据信息技术公司新闻平台TechCrunch 3月2日报道, 对于脸书来说, 商标侵权并不新鲜。TechCrunch指出, 本次被告方应该是进行了相当大规模的侵权行为, 以致引起脸书的愤怒。

虚假账号问题已成为许多互联网社交、购物平台的“心病”, 而互联网公司利用法律“打假”事件也早有发生。

1. 早在2015年，线上购物平台亚马逊就开始针对虚假账号在其网站上虚假评论、作假五星好评的行为采取法律行动，起诉了在美国境内运营的“买亚马逊评论”的网站及个人。

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一点号 登录

在打击假货方面，2019年，亚马逊还发起了“零计划（Project Zero）”，计划授权在其平台上售卖的品牌，直接利用产品序列号等技术（无需平台授权），自主识别和清除假冒商品。

此外，2018年1月，据纽约时报报道，美国公司Devumi在推特和其他社交媒体平台上，出售数亿虚假粉丝。在业务关闭前，Devumi拥有20万客户，包括真人秀明星、职业运动员、喜剧演员、模特等。随后，纽约总检察长施奈德曼（Eric Schneiderman）宣布对其展开调查。



2019年1月，纽约总检察长宣布与Devumi达成和解，后者的行为被认定为非法，Devumi老板还需纽约州上缴5万美元的调查费。

虽有上述判决虚假卖赞、卖粉行为违法的先例，据美国科技新闻媒体The Verge 3月2日报道，此前案件中的被告均为美国境内实体，想要起诉海外公司可能会更艰难。但The Verge也指出，无论结果如何，脸书正致力于通过诉讼传达这样一个观念——出售虚假账户将引起法律侵权问题。

世界说

谢雯雯

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**SCREENSHOT OF TRANSLATION FROM
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Facebook Decided To Sue Four Chinese Companies

The original [world says](#) 2019.3.5

I want to share



The sale of fake accounts, likes and fan-adding services is common in the online world. Facebook decided this time to no longer tolerate this act and have filed lawsuit against four Chinese companies and three natural persons operating in China.

On March 1st, Facebook, the US social platform company, announced that it had filed a lawsuit in the US District Court for the Northern District of California, accusing four Chinese companies and three activists in China (hereinafter referred to as the defendant) in 2017. During the period from 2017 to 2019, through the

operation of six websites, infringement and illegal activities were carried out on Facebook and its photo and video sharing social software Instagram, including illegal sales of fake accounts, likes and fan adding services.

According to the lawsuit, Facebook claimed the defendant to compensate 100,000 US dollars and stop the infringement and illegal activities. It asked the court to prevent the defendant from doing the following activities: creating and promoting fake accounts, sales of likes and "false" fans on Facebook and Instagram; infringing Facebook trademarks on its website; using Facebook branded domain names.

Case 3:19-cv-01167 Document 1 Filed 03/01/19 Page 1 of 22	
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15	UNITED STATES DISTRICT COURT
16	NORTHERN DISTRICT OF CALIFORNIA
17	FACEBOOK, INC., a Delaware corporation and
18	INSTAGRAM, LLC, a Delaware limited liability
19	company.
20	Plaintiffs,
21	v.
22	9 XIU NETWORK (SHENZHEN) TECHNOLOGY
23	CO., LTD. a/k/a JIUXIU NETWORK
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25	9 XIU FEISHU SCIENCE AND TECHNOLOGY
26	COMPANY LTD.;
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28	HOME NETWORK (FUJIAN) TECHNOLOGY
29	CO., LTD.;
30	WEI GAO a/k/a GAO WEI;
31	ZHAOCHUN LIU a/k/a/ LIU ZHAOCHUN; and
32	ZHAOPING LIU a/k/a LIU ZHAOPING,
33	Defendants.
34	Case No. 19-1167
35	COMPLAINT FOR TRADEMARK AND
36	SERVICE MARK INFRINGEMENT; FALSE
37	DESIGNATION OF ORIGIN; DILUTION;
38	CYBERSQUATTING; AND BREACH OF
39	CONTRACT
40	DEMAND FOR TRIAL BY JURY

Homepage of the indictment (Source: [TechCrunch](#) reported on March 2)

Homepage of the indictment (Source: TechCrunch reported on March 2)

According to Facebook's indictment, the defendants' four Chinese companies are Jiuxiu Network (Shenzhen) Network Technology Co., Ltd., 9 Xiu feishu Science and Technology (9 Xiufei Book), and 9 Xiufei Book Technology (Jiu Xiu Fei Book), and Home Network (Fujian) Technology Co. (Home Network), these four companies are located in Shenzhen, Guangdong, Longyan, Fujian, and are the providers of software and online advertising services.

The three defendants were Gao Wei and two other shareholders, general manager and executive director of Jiu Xiu Network. According to public information, Jiuxiu Network was registered on April 2017 with a registered capital of RMB 5 million and is currently in the "survival" status.

Currently, the website operated by the defendant has been shown to be inaccessible, but according to the historical snapshot of the website, the defendant advertised itself as "the top agent of Facebook in China" and "Facebook China regional strategic partner", and said that the account it sold "will never be banned".

The illegal business sold by the defendant mainly includes the sale of Facebook, Twitter, YouTube account, comments blasting, voting and number of live broadcasts with a large fan base.

In addition, Facebook pointed out that it also found that the defendant has similar violations on Amazon, Apple, Google, LinkedIn and Twitter.

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You can see its business on the website of Jiu Xiu Feishu (Source: Historical snapshot of Jiuxiu Feishu website)

As a multinational Internet giant, Facebook and Instagram are mainly based on what regulations and laws to prosecute defendants?

According to Facebook's indictment, it accused the defendant of selling false accounts (using false names or identities, engaging in false activities), in violation of Facebook's Terms of Service (TOS) and Instagram's Terms of Use (TOU).

The use of Facebook's trademark to register domain names and carry out false account promotion violates the US federal trademark Lanham Act and the Anti-Domain Anti-Consumer Protection Act (ACPA).

According to Facebook, fake accounts can be used to send spam and phishing campaigns, fake information campaigns, marketing scams, advertising fraud, and other large-scale profitable fraud schemes. In the indictment, it stated that between January and September 2018, it had disabled more than 2.1 billion fake accounts with Instagram.

According to information technology company news platform TechCrunch reported on March 2, for Facebook, trademark infringement is not new. TechCrunch pointed out that this time the defendant should have carried out a considerable amount of infringement, which caused the anger of Facebook.

The problem of false account has become the "heart disease" of many Internet social and shopping platforms, and the use of the law to "counterfeit" by Internet companies has also occurred.

As early as 2015, Amazon, the online shopping platform, began to take legal action against false accounts on its website for false comments and false five-star praises, and sued the "Buy Amazon Review" websites and individuals operating in the United States.

In the fight against counterfeit goods, in 2019, Amazon also launched the "Project Zero" , which plans to authorize brands sold on its platform to directly

identify and eliminate counterfeits using technologies such as product serial numbers (no brand authorization required).

In addition, in January 2018, according to the New York Times, the US company Devumi sold hundreds of millions of fake fans on Twitter and other social media platforms. Before the business closed, Devumi had 200,000 customers, including reality TV stars, professional athletes, comedians, models and more. Subsequently, New York Attorney General Eric Schneiderman announced his investigation.



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The world says

Xie Wenwen

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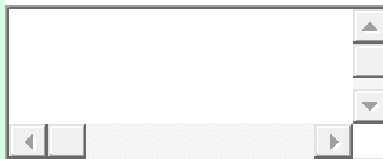
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Report Email: tousu@yidian-inc.com Company Name: Beijing Little Network
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Media Reporting 7

**SCREENSHOT OF WEBSITE
(ORIGINAL IN SIMPLIFIED CHINESE)**

吴亦凡、蔡徐坤流量谁在刷？Facebook起诉了4家中国数据造假公司

2019.3.6 资本邦

日前，美国社交平台公司脸书(Facebook)称，其已向美国加利福尼亚北区联邦地区法院提起诉讼，起诉了四家中国公司和三名在中国境内活动人士(下称“被告方”)。

• 被告：

九秀网络(深圳)网络技术有限公司;

9 Xiu feishu Science and Technology(九秀飞书);

9 Xiufei Book Technology(九秀飞书);

Home Network (Fujian) Technology Co.(有家网络);

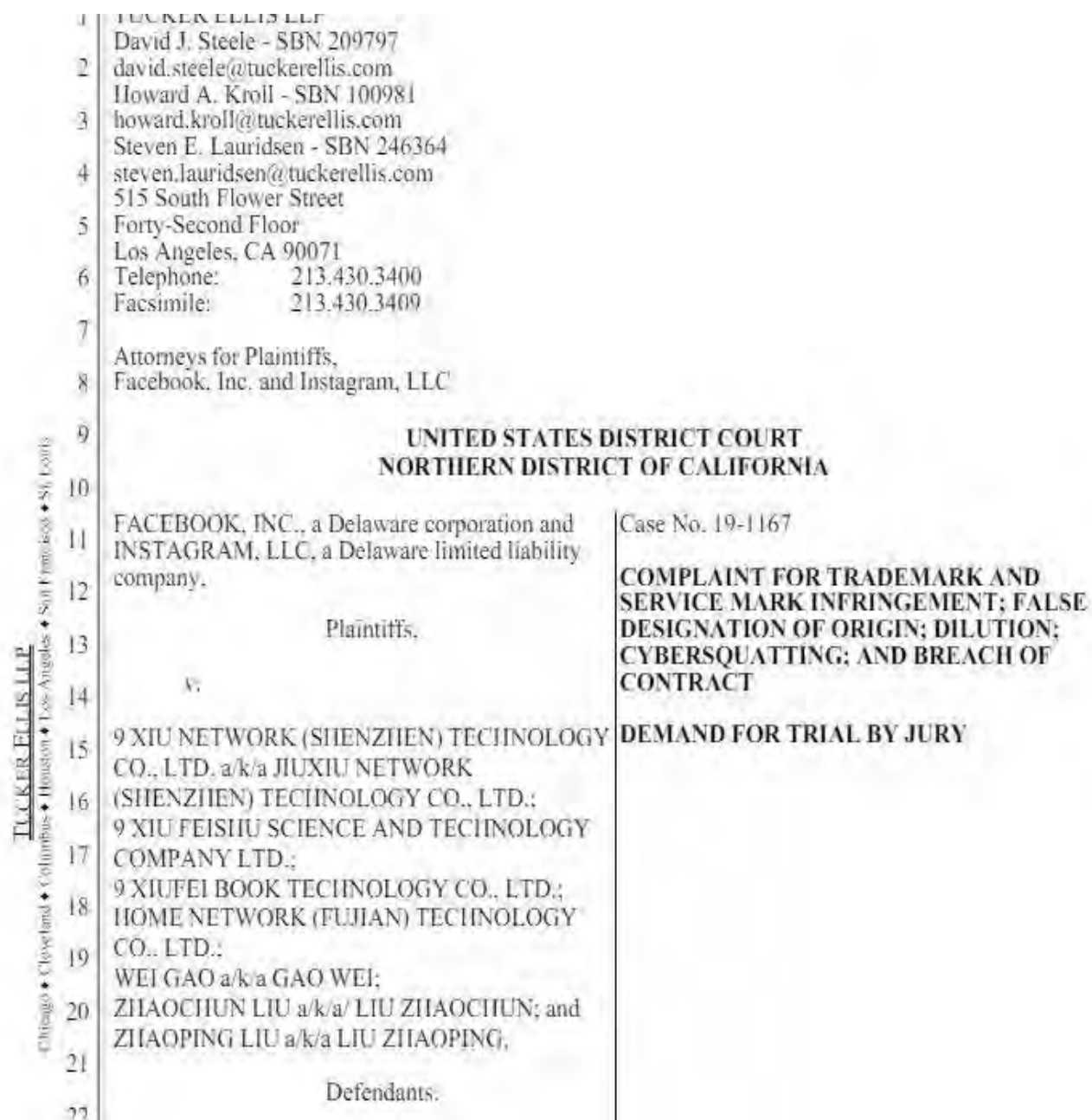
九秀网络的大股东、总经理和执行董事高伟及另外两个人。

指控内容：

被告方在2017年至2019年期间，通过运营六家网站，针对脸书及其旗下图片及视频分享社交软件Instagram进行了侵权、违法活动，包括非法推销虚假账户，销售点赞和增粉服务。

- 1、以侵权抢注域名的名义，要求被告赔偿10万美元并停止侵权行为;
- 2、要求法院阻止被告方进行以下活动：在Facebook和Instagram上创建和推广虚假账户、销售点赞和“虚假”粉丝、在其网站上侵犯脸书商标、使用脸书品牌的域名。

公开资料显示，九秀网络注册于2017年4月，注册资本500万人民币，目前为“存续”状态。



起诉书首页(图片来源: TechCrunch 3月2日报道)

虚假账户、销售点赞和“虚假”粉丝等数据造假的现象, 我们似乎早已见怪不怪。

2018年11月3日, 吴亦凡去美国发新专辑《Antares》, 疑似粉丝刷榜事件。





人家歪果仁根本没听过吴亦凡。

还有被央视点名批评的蔡徐坤——

立即打开

该公益活动实际是CCTV6电影频道主办，成龙等百位电影人发起的公益活动。但是话题点进去全部都是蔡徐坤。

立即打开

真的展示了：始于造假归于造假！

无论是视频网站刷点击量，还是社交媒体买粉丝、电商网站刷销量、直播和短视频平台刷赞数——对于这些互联网平台和平台玩家而言，数据就是金钱。

而“人造数据”往往可以转化为更多的“真金白银”。

对于初创互联网公司来说，投资人对公司业绩的重要判断依据就是平台的各类关键指标，如用户量、转化率、日活用户等。这些指标的高低直接影响到：一家公司能否获得投资人的认可和融资。

当一切的根源落到利益二字，想要禁止就不是那么容易了。

不单单是初创公司和脸书状告的那4家公司。2018年10月22日，公众号“小声比比”在《我承认，我们是有组织攻击马蜂窝的》一文中已经揭露了国内旅游行业知名企业“马蜂窝”数据造假现象。

文章显示，马蜂窝有至少7454个抄袭账号，虽然这些账号在用户中占比并不多，但是它贡献了85%的点评！

更有同一用户12次中奖的现象发生——

立即打开

(图片来源:“小声比比”公众号)

就是这样的“马蜂窝”，此前已经拿到了十多亿美元的融资。

尽管平台和法律严厉打击刷单增粉的行为，但是数据造假的问题依然屡禁不止。

存在自有原因。数据造假的背后是一条由流量变现驱动起来的互联网灰色产业链，造假方、平台自身和平台上的入驻商家都是这条产业链上的一环。

这条产业链上甚至已经诞生了专门的刷量公司，它们研发了专用的群控系统，可以通过一台电脑控制成千上万部手机下载、阅读文章、观看视频等刷量操作。

据一份针对小红书刷量商家的调查显示，其刷量业务的销售毛利率可以达到70-80%，利润可谓非常可观。

作者 | 郑钰、梅茜 来源 | 资本邦

【本文为资本邦（ChinaIPO）综合报道；如需转载，请后台留言。】

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立即打开

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科创板火了！上万个投资者踊跃开户，这些蹭热点骗局要警惕！

这家差点垮了的公司，通过转型，被65亿美金收购了！

立即打开

**SCREENSHOT OF TRANSLATION FROM
SIMPLIFIED CHINESE INTO ENGLISH**

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Body{-webkit-animation:none;-moz-animation:none;-ms-animation:none;animation:none}

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Wu Yifan, Cai Xukun Who Is Faking The Page View Counts? Facebook Sued Four Chinese Data Fraud Companies

2019.3.6 Capital State

A few days ago, [Facebook](#), the [US](#) social platform company, said it had filed a lawsuit in the US Federal District Court for the Northern District of [California](#), indicting four Chinese companies and three activists in China (hereinafter referred to as "the defendant").

- **defendant:**

Jiuxiu Network (Shenzhen) Network Technology Co., Ltd.;

9 Xiu feishu Science and Technology (九秀飞书);

9 Xiufei Book Technology (九秀飞书);

Home Network (Fujian) Technology Co. (Home Network);

Gao Wei, the major shareholder, general manager and executive director of Jiuxiu Network, and two others.

Allegations:

During the period from 2017 to 2019, the defendant conducted infringement and illegal activities against Facebook and its photo and video sharing [social software](#) Instagram through the operation of six websites, including illegal sales of fake accounts, product likes and fans adding services.

1. In the name of the infringement cybersquatting domain name, the defendant is required to compensate 100,000 US dollars and stop the infringement;

2. Require the court to prevent the defendant from doing the following activities: creating and promoting fake accounts, selling praises and "false" fans on [Facebook](#) and Instagram, infringing Facebook trademarks on their websites, and using Facebook brand names.

According to public information, Jiuxiu Network was registered in April 2017 with a registered capital of RMB 5 million and is currently in the "survival" status.

Case 3:19-cv-01167 Document 1 Filed 03/01/19 Page 1 of 22

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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA

11 FACEBOOK, INC., a Delaware corporation and
INSTAGRAM, LLC, a Delaware limited liability
12 company,
13 Plaintiffs,
14 v.
15 9 XIU NETWORK (SHENZHEN) TECHNOLOGY
CO., LTD. a/k/a JIUXIU NETWORK
16 (SHENZHEN) TECHNOLOGY CO., LTD.;
17 9 XIU FEISHI SCIENCE AND TECHNOLOGY
COMPANY LTD.;
18 9 XIUFEI BOOK TECHNOLOGY CO., LTD.;
HOME NETWORK (FUJIAN) TECHNOLOGY
19 CO., LTD.;
WEI GAO a/k/a GAO WEI;
20 ZHAOCHUN LIU a/k/a/ LIU ZHAOCHUN; and
ZHAOPING LIU a/k/a LIU ZHAOPING,
21
22 Defendants.

Case No. 19-1167
**COMPLAINT FOR TRADEMARK AND
SERVICE MARK INFRINGEMENT; FALSE
DESIGNATION OF ORIGIN; DILUTION;
CYBERSQUATTING; AND BREACH OF
CONTRACT**
DEMAND FOR TRIAL BY JURY

TUCKER ELLIS LLP
Chicago • Cleveland • Columbus • Denver • Los Angeles • San Francisco • St. Louis

The home page of the indictment (Source: [TechCrunch](#) reported on March 2)

False accounts, product likes, and "false" fans and other data fraud phenomenon, we are not surprised by this type of news.

On November 3, 2018, [Wu Yifan](#) went to the [United States](#) to release a new album " [Antares](#) ", which was suspected of fans faking.



People have never heard of [Wu Yifan](#) .

There is also [Cai Xukun](#) who was criticized by [CCTV](#) .



The charity event was actually a charity event sponsored by CCTV6 film channel and sponsored by hundreds of filmmakers such as Jackie Chan. But the topic points are all about Cai Xukun .

This truly shows: starting from fraud and returning to fraud!

Whether it's a [video site's](#) clicks, social media fans purchasing, [e-commerce](#) sites, sales, live broadcasts, and short video platforms, the data is money for these [Internet](#) platforms and platform players.

As "artificial data" can often be converted into more "real money."

For start-up Internet companies, the important judgment of investors on the company's performance is based on various key indicators of the platform, such as user volume, conversion rate, and daily users. The level of these indicators directly affects whether a company can obtain investor recognition and [financing](#) .

When the root of everything falls into the word of interest, it is not so easy to want to ban.

Not only the four companies that Facebook sued, on October 22, 2018, the public number "Xiao Sheng Bi Bi" in the article "I admit that we are organized to attack the [hornet's nest](#) " has revealed the phenomenon of "hornet's nest" data fraud in the domestic tourism industry.

The article shows that beehive has at least 7454 plagiarized accounts, although these accounts do not account for a large proportion of users, but it contributed 85% of the comments!

There is also phenomenon of 1 user win prize 12 times -

**【有壕奖】SWM斯威汽车G01首席
异想官 全球招募 同一智能抄袭账**

82469阅读 · 205评论 · 25顶



小蜂 Lv44

3月14日

号在多达12次有奖

活动中均有斩获，

得利颇丰 ——

本次活动的中奖名单新鲜出炉！

案例 1:

🏆一等奖：奢华异想之旅旅行基金

火爆辣椒 **90313588**

不会飞的羽毛10 52178153

succubus 59133048

🏆特别奖：国际米兰俱乐部球星签名球衣

UID 90313588 的账号曾用名“野

牛狂奔”，现为“火爆辣椒”

【获奖名单已公布】投骰子，集船票，厦门金门自由行大奖等你拿！

28697阅读 · 186评论 · 65顶



小蜂 Lv44

2018年5月6日

本次活动大奖得主竟

案例 2: 碰巧是经典抄袭账号

🌟本期活动结束啦~ 感谢蜂蜂的热情参与，也恭喜以下幸运的获奖蜂蜂！请以下获奖蜂蜂在收到系统通知后，及时回复收件信息，奖品将在相关信息收集、整理完毕后发出，还请耐心等待哦！~ 公布中奖名单后的5个工作日内，请收到获奖私信的蜂蜂们，尽快回复收货信息：)

至少抄袭189名用户，贡献3057

🏆昇恒昌赞助提供的自由行

19901452 孤独的薰衣草

条点评

🏆蚂蜂窝定制公仔：

90313588 野牛狂奔

智能抄袭账号

紧随经典抄袭

账号之后

2016奥运会·奖牌争夺战【活动规则】

此UID为90313588的幸运

68466阅读 · 519评论 · 77顶

账号还在以下活动中获奖：

有奖活动 | 新州有你更完美！赢悉尼往返机票+双人自由行

17603阅读 · 56评论 · 25顶

案例 4

案例 5

【获奖名单已公布】黄金海岸和凯恩斯——定制你的奇趣之旅

25021阅读 · 103评论 · 36顶

案例 6

【获奖名单已公布】#谁是你的一拍即合#等你来答！有机会赢取日本自由行大奖及蚂蜂窝周边好礼！

123326阅读 · 218评论 · 17顶

案例 7

【获奖名单已公布】先蜂来了第贰期——FUN享春日 艺犹未尽游香港

20789阅读 · 154评论 · 65顶

案例 8

获奖名单公布-【泰爱你520】蚂蜂窝航班即将起飞啦！

15373阅读 · 28评论 · 154顶

案例 9

【获奖名单公布】有大奖|驱 寻味，在路上追寻绝赞美味

16182阅读 · 59评论 · 18顶

案例 10

【吉祥物第二批奖品发布】又500个投票奖来咯！

6339阅读 · 9评论 · 44顶

案例 11

【获奖名单已公布】#嗨BUY新罗#跨年季 | 新罗购物达人悬赏招募！

17681阅读 · 139评论 · 17顶

案例 12

(Source: "Xiao Sheng Bi Bi" public account)

It is "[hornet's nest](#)" like this, which has already received more than one billion dollars in [financing](#).

Although there are platforms and laws severely cracked down on the fans adding phenomenon, the problem of data fraud has still been unstoppable.

There are reasons for this phenomenon. Behind the data fraud is a gray area industrial chain driven by traffic realization. The fraud parties, the platform itself and the settled merchants on the platform are all part of this industry chain.

In this industry chain, special view count fraud companies have been born. They have developed a dedicated group control system that can control thousands of mobile phones to download, read articles, watch videos and other fraud operations through just one [computer](#).

According to a survey of small red book merchants, the gross profit margin of its view count fraud business can reach 70-80%, and the profit is very impressive.

Author|Zheng Wei, Mei Xi Source|Capital State

[This article is a comprehensive report of China IPO; if you need to reprint, please send a private.]

Risk Warning: All information presented by Capital State is for investment reference only and does not constitute investment advice. Investment is risky and you need to be cautious when entering the market!

related news

US government temporarily shut down, 3D printer Stratasys sales suffered

Li Xiaolai invested in industrial marijuana, and the richest man in front of Bitcoin came to cut the leek.

Foreign media: Sino-German economic relations are intriguing. Chinese investment in Germany is far less than that in the United States.

Is Facebook aligning with WeChat?

Hundreds of investment rumors: Successful investments are anti-human, after reading the book for 10 years!

US presidential candidate: In addition to Amazon, Google and Facebook, Apple should also be split

From what happened to the five-person team to the current Internet giant, what has Tencent experienced?

It has an annual revenue of 17 billion, and has received 4.6 billion investment from Ma Yun. Can SF maintain its leading position?

This almost smashed company was acquired by the transformation of 6.5 billion US dollars!

The head of the company took the money and fled the investor to break the contract. Half of the employees left the company and are now acquired by the giant.

Media Reporting 8

**SCREENSHOT OF WEBSITE
(ORIGINAL IN SIMPLIFIED CHINESE)**

军事频道

5559跟贴

吴亦凡、蔡徐坤流量谁在刷？ Facebook起诉了4家中国数据造假公司

2019-03-07 10:36 金融投资报



日前，美国社交平台公司脸书(Facebook)称，其已向美国加利福尼亚北区联邦地区法院提起诉讼，起诉了四家中国公司和三名在中国境内活动人士(下称“被告方”)。

被告：
军事频道

5559跟贴

九秀网络(深圳)网络技术有限公司;

9 Xiu feishu Science and Technology
(九秀飞书);

9 Xiufei Book Technology(九秀飞书);

Home Network (Fujian) Technology
Co.(有家网络);

九秀网络的大股东、总经理和执行董事
高伟及另外两个人。

指控内容：

被告方在2017年至2019年期间，通过
运营六家网站，针对脸书及其旗下图片及视
频分享社交软件Instagram进行了侵权、违

法活动，包括非法推销虚假账户，销售点赞和增粉服务。

1、以侵权抢注域名的名义，要求被告赔偿10万美元并停止侵权行为；

2、要求法院阻止被告方进行以下活动：在Facebook和Instagram上创建和推广虚假账户、销售点赞和“虚假”粉丝、在其网站上侵犯脸书商标、使用脸书品牌的域名。公开资料显示，九秀网络注册于2017年4月，注册资本500万人民币，目前为“存续”状态。





起诉书首页(图片来源: TechCrunch 3月2日报道)

虚假账户、销售点赞和“虚假”粉丝等数据造假的现象，我们似乎早已见怪不怪。

2018年11月3日，[吴亦凡](#)去美国发新专辑《Antares》，疑似粉丝刷榜事件。

人家歪果仁根本没听过吴亦凡。

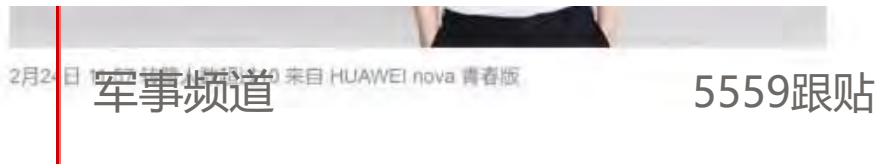
还有被央视点名批评的[蔡徐坤](#)——



(图片来源：央视新闻截图)

随后，微博上竟出现蔡徐坤公益洗白现象——





(图片来源:微博截图)

该公益活动实际是CCTV6电影频道主办，成龙等百位电影人发起的公益活动。但是话题点进去全部都是蔡徐坤。

真的展示了：始于造假归于造假！

无论是视频网站刷点击量，还是社交媒体买粉丝、电商网站刷销量、直播和短视频平台刷赞数——对于这些互联网平台和平台玩家而言，数据就是金钱。

有店家表示，“只要你想要上这个榜，我就能给你做上去。”

相关数据显示，抖音热搜榜，前5名3.5万，前10名3万，前20名2万，前30名1万，按在榜期间的最高排名收费。

粉丝方面，则与微博类似，粉丝40元1000，分享5元1000，评论5元100，赞20元1000，播放量2元1万。”

而对于QQ音乐流行指数，虾米音乐的新歌榜等所有榜单均是按名次明码标价：

具体来看，QQ音乐流行指数1-5，12800元；虾米音乐新歌榜前一百，6000元；虾米音

乐热歌榜前一百，8000元；虾米音乐分享榜前十，4000元；抖音飙升榜前二十，28000元；抖音热歌榜前十，55000元。

可以说，只要愿意砸钱，就可以“人造数据”。
军事频道 5559跟贴

(综合资本邦等。)

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[网易内蒙古自治区手机网友]

1907 顶

谁不给我点赞，以后打球就像蔡徐坤🙄

我的网名和JJ一样长[网易广...

877 顶

这个逼是谁我都不知道，吴亦凡倒是知道点，炮王嘛

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SIMPLIFIED CHINESE INTO ENGLISH**

<http://www.yidianzixun.com/article/OLR3ZHjH/amp>

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The charity event was actually a charity event sponsored by CCTV6 film channel and sponsored by hundreds of filmmakers such as Jackie Chan. But the topic points are all about [Cai Xukun](#) .

This truly shows: starting from fraud and returning to fraud!

Whether it's a [video site's](#) clicks, social media fans purchasing, [e-commerce](#) sites, sales, live broadcasts, and short video platforms, the data is money for these [Internet](#) platforms and platform players. Data is money. One store owner said, "As long as you want to get good ratings, I can do it for you."

Related data show that on DouYin app ranking chart, the top 5 rankings cost 35,000 yuan, the top 10 cost 30,000 yuan, the top 20 ranking cost 20,000 yuan, the top 30 ranking cost 10,000 yuan, depending on the highest ranking during the time of charge. Fans wise, is similar to Weibo, 1000 fans is 40 yuan, 1000 shares 5 yuan, 100 comments 100 yuan, 1000 likes 20 yuan, 10,000 views 2 yuan.

And for the QQ Music ranking, Shrimp music's new song ranking list and other lists are ranked according to below

Specifically, QQ music ranking top 1-5, 12800 yuan; Shrimp Music new song list top 100, 6000 yuan; Shrimp Music hot song list 100, 8000 yuan, Shrimp Music sharing list of top 10, 4000 yuan, DouYin ranking list of top 20, 28000 yuan, DouYin ranking list Top 10, 55000 yuan.

It can be said that as long as you are willing to throw money, you can fake data.
(Integrated Capital State etc.)

Exhibit 3

Lauridsen, Steven E.

From: Simple <geeai@qq.com>
Sent: Wednesday, May 29, 2019 2:57 AM
To: Steele, David J.
Subject: 9 Xiu Network Technology (Shenzhen) Co., Ltd.

Hello David :

This is 9 Xiu Network Technology (Shenzhen) Co., Ltd. According to your statement, 9 XIU infringed on some of the rights and interests of Facebook and Instagram. After our investigation, The registration of domain names and the operation of websites are illegal operations by Ms. Liu Zhaochun who embezzled 9 Xiu company information. It has nothing to do with 9 Xiu Company and Mr. Gao Wei. The registration information of the domain name and the bank account of the website collection are owned by Liu Zhaochun and his husband.

9xiu Network Technology (Shenzhen) Co., Ltd. and Mr. Gao Wei are both victims. We will also initiate legal proceedings against Ms. Liu Zhaochun in China to safeguard the legitimate rights and interests of companies and legal persons. Hope to get your evidence and help.

Best,

Daniel

Exhibit 4

Lauridsen, Steven E.

From: Chen, Ying
Sent: Wednesday, August 21, 2019 3:38 PM
To: geeai@qq.com; xubin878@foxmail.com
Cc: Steele, David J.; Lauridsen, Steven E.
Subject: Facebook v. 九秀网络科技（深圳）有限公司 (TE No. 015949-005)
Attachments: 2019-08-21 - AO_398 - 9 XIU FEISHU SCIENCE AND TECHNOLOGY COMPANY LTD (ZH-CN).pdf; 2019-08-21 - AO_398 - 9 XIU FEISHU SCIENCE AND TECHNOLOGY COMPANY LTD.PDF; 2019-08-21 - AO_398 - 9 XIU NETWORK (SHENZHEN) TECHNOLOGY CO. (ZH-CN).pdf; 2019-08-21 - AO_398 - 9 XIU NETWORK (SHENZHEN) TECHNOLOGY CO..pdf; 2019-08-21 - AO_398 - 9 XIUFEI BOOK TECHNOLOGY CO., LTD (ZH-CN).pdf; 2019-08-21 - AO_398 - 9 XIUFEI BOOK TECHNOLOGY CO., LTD.pdf; 2019-08-21 - AO_398 - HOME NETWORK (FUJIAN) TECHNOLOGY CO., LTD (ZH-CN).pdf; 2019-08-21 - AO_398 - HOME NETWORK (FUJIAN) TECHNOLOGY CO., LTD.pdf; 2019-08-21 - AO_398 - WEI GAO aka GAO WEI (ZH-CN).pdf; 2019-08-21 - AO_398 - WEI GAO aka GAO WEI.pdf; 2019-08-21 - AO_398 - ZHAOCHUN LIU aka LIU ZHAOCHUNI (ZH-CN).pdf; 2019-08-21 - AO_398 - ZHAOCHUN LIU aka LIU ZHAOCHUNI.pdf; 2019-08-21 - AO_398 - ZHAOPING LIU aka LIU ZHAOPING (ZH-CN).pdf; 2019-08-21 - AO_398 - ZHAOPING LIU aka LIU ZHAOPING.pdf; 2019-08-21 - AO_399 - 9 XIU FEISHU SCIENCE AND TECHNOLOGY COMPANY LTD (ZH-CN).pdf; 2019-08-21 - AO_399 - 9 XIU FEISHU SCIENCE AND TECHNOLOGY COMPANY LTD.pdf; 2019-08-21 - AO_399 - 9 XIU NETWORK (SHENZHEN) TECHNOLOGY CO. (ZH-CN).pdf; 2019-08-21 - AO_399 - 9 XIU NETWORK (SHENZHEN) TECHNOLOGY CO..pdf; 2019-08-21 - AO_399 - 9 XIUFEI BOOK TECHNOLOGY CO., LTD (ZH-CN).pdf; 2019-08-21 - AO_399 - 9 XIUFEI BOOK TECHNOLOGY CO., LTD.pdf; 2019-08-21 - AO_399 - HOME NETWORK (FUJIAN) TECHNOLOGY CO., LTD (ZH-CN).pdf; 2019-08-21 - AO_399 - HOME NETWORK (FUJIAN) TECHNOLOGY CO., LTD.pdf; 2019-08-21 - AO_399 - WEI GAO aka GAO WEI (ZH-CN).pdf; 2019-08-21 - AO_399 - WEI GAO aka GAO WEI.pdf; 2019-08-21 - AO_399 - ZHAOCHUN LIU aka LIU ZHAOCHUNI (ZH-CN).pdf; 2019-08-21 - AO_399 - ZHAOCHUN LIU aka LIU ZHAOCHUNI.pdf; 2019-08-21 - AO_399 - ZHAOPING LIU aka LIU ZHAOPING (ZH-CN).pdf; 2019-08-21 - AO_399 - ZHAOPING LIU aka LIU ZHAOPING.pdf

尊敬的先生/女士：

我是陈莹，是美国Tucker Ellis律师事务所的知识产权专员。我讲中文，我将协助David Steele律师与你们沟通联络。Tucker Ellis律师事务所在本案件中代理Facebook, Inc.和Instagram, LLC (统称“Facebook”)。

Facebook已经对您和您的公司提起了民事诉讼，该诉讼已提交美国加利福尼亚州北区地方法院待审。根据国际“海牙公约”，该诉讼相关文书将通过中国司法部和法院向您送达。为加快案件处理，本邮件附有给每一位被告的放弃传票送达书，请您代理或代表的每一位被告在该文件（中英文双份）上签字，并寄回给我们。签署放弃传票送达书意味着被告已收到该诉讼的相关文件，并确认其送达。据我了解，您之前已经通过邮件收到了起诉状和放弃传票送达书，如果您另有需要，请告知我们，我们会安排再次寄送。签署该放弃书不是必须的，但如果不签署，通过海牙公约的送达程序产生的费用将由你方承担。

首先我们想通知您，法院已经安排了案件管理会议。原被告双方和法官会在案件管理会议上一起讨论案件如何进展，并确定包括庭审日期在内的相关日期。我们的案件管理会议最初安排在2019年6月5日，但是由于我们当时未能与

您取得联系，我们向法院申请，将会议改期至2019年9月16日。9月16日的案件管理会议将在奥克兰联邦法院2楼6号审判室举行。

Steele律师在之前的信件中已经提到过，根据法院要求，我们需要在案件管理会议之前与您或者您的律师就一些问题进行商讨，该商讨需要在2019年8月26日前进行。如果您愿意签署放弃传票送达书，那请提供几个你们方便商讨的时间。如果您不愿意放弃传票送达书或者无法进行商讨，那请告知你方是否同意将案件管理会议从2019年9月16日延期至2019年12月16日，这样有更多时间来完成海牙公约下的送达程序，然后我们将向法院提出延期申请。

但是在案件管理会议前，我们希望和您私下沟通一下案件情况、你方意见、案件进展计划、以及可能的解决方案。我们可以在本周或者下周初，通过电话或者视频会议与您或者您的律师取得联系，我们将提供中英文翻译。请提供你方方便的时长一小时的三个时间段（日期加时间）。

最后，您在之前的邮件中提到您公司和刘招春之间的争议，我们也很愿意了解这个情况，任何相关信息都有可能帮助我们决定如果推进该案件，帮助我们找到对我们双方都有利的解决方案。

谢谢你的留意与合作。

此致，

陈莹

Ying Chen | Intellectual Property Specialist | Tucker Ellis LLP

950 Main Avenue, Suite 1100 | Cleveland, OH 44113

Direct: 216-696-3371 | Fax: 216-592-5009

ying.chen@tuckerellis.com

tuckerellis.com

This e-mail is sent by the law firm of Tucker Ellis LLP and may contain information that is privileged or confidential. If you are not the intended recipient, please delete the e-mail and notify us immediately by return email.

Exhibit 5

Dear Sirs or Madams,

My name is Ying Chen. I am an Intellectual Property Specialist at Tucker Ellis LLP, an American law firm. I am a native Chinese speaker, and I will be assisting Attorney David Steele with this matter, facilitating communication in both English and Chinese. Tucker Ellis LLP represents Facebook, Inc. and Instagram, LLC (collectively, "Facebook").

Facebook has filed a civil lawsuit against you and your company. The lawsuit is pending in the United States District Court for the Northern District of California. You will be formally served with the lawsuit through the Central Authority for China in accordance with an international treaty called the Hague Convention. To expedite resolution to this matter, I am attaching to this email a Waiver of the Service of Summons form for each Defendant. Please have each Defendant whom you represent or on whose behalf you are writing sign this form (both the English and Chinese version) and return it to us. By signing, each of you will be confirming that you have received the documents filed in this case and have accepted service of the lawsuit. It is my understanding you previously received this form and the complaint by email. If you need another copy, let me know, and I will send one to you. Signing this form is not mandatory. But if you do not sign it, we will later seek our costs from you for having to formally serve you under the Hague Convention.

Before we discuss your emails, we need to discuss the fact there is a Case Management Conference scheduled by the court. At the Case Management Conference, all parties and the judge meet to discuss how the case should progress and to schedule dates for aspect of the case, including the trial date. The Case Management Conference was first scheduled on June 5, 2019. But because we had not been able to reach you before that date, the court granted our request to move the conference to September 16, 2019. The September 16, 2019 Case Management Conference will be held in Oakland federal court, Courtroom 6, 2nd Floor.

As Mr. Steele explained in his last letter, we are required by court order to discuss with you or your attorney a number of topics in advance of the Case Management Conference. The current deadline to have this discussion is August 26, 2019. If you will sign the waiver form, please let me know some dates before then when you are available to discuss these topics. If you will not sign the waiver form or are unable to discuss these topics at this time, please let me know if you would agree to move the Case Management Conference from September 16, 2019 to December 16, 2019. This will allow additional time for you to be served under the Hague Convention. We will then ask the court to move the Case Management Conference to that date.

But before the conference takes place we would also like to discuss, confidentially, what happened, what you stated occurred in your emails, how we plan to proceed, and possible resolution of the case. We are hoping to have a phone call or a video meeting with you or your attorney later this week, or early next week. I will be able to provide translation during the conversation. Please provide us with three different one-hour timeslots (days and times) that will work for you.

Finally, you also stated in your previous email that there have been disputes between Zhaochun Liu and your company on this matter. We are curious to know about this. Any information you are able to provide will be helpful to determine how to proceed and whether we can reach a resolution that aligns with the interest of both Facebook and your company.

Thank you for your attention, and we appreciate your cooperation.

Regards,
Ying Chen

Exhibit 6

Lauridsen, Steven E.

From: Chen, Ying
Sent: Friday, November 22, 2019 7:12 PM
To: geeai@qq.com; xubin878@foxmail.com
Cc: Steele, David J.; Lauridsen, Steven E.
Subject: Facebook v. 九秀网络科技（深圳）有限公司 (TE No. 015949-005)

尊敬的先生/女士：

我代表David Steele律师和Steven Lauridsen律师，与您进行关于您与Facebook, Inc.和Instagram, LLC的诉讼纠纷相关事宜的商讨。

首先，我们再次向您询问，您是否愿意签署送达豁免表，并将其发还我们。我在上一封邮件中已以附件形式将该表格发给您，但如果您还需要一份，请与我联系。

我们希望您知道，签署送达豁免表意味着确认收到诉讼相关文件，并确认其送达。但如果您不愿意签署送达豁免表，我们将根据国际海牙公约第15条采取缺席判决。根据海牙公约，在原告已经向中国司法部提出送达请求的情况下，如果超过六个月没有得到送达确认，则原告有权采取缺席判决。当我们准备提出该动议时，我们将向您另发通知。

其次，由于我们之前没有能够按约进行会面商谈，法院批准了我们的申请，并将案件管理会议延期至2019年12月17日。在案件管理会议前，你我双方需要在2019年11月26日之前就案件的一些问题进行讨论，讨论内容可参考之前邮件。请告知我们您是否愿意在2019年11月26日之前与我们进行电话或视频会议。

最后，如果您不愿意出席案件管理会议之前的会面和商谈，我们将向法院申请继续延期案件管理会议，这样我们将有时间在会议前提出缺席判决动议并完成庭审。如果您不愿意出席会议前的会面和商谈，您是否同意案件管理会议继续延期约90天？

感谢您的留意与合作。

此致，

陈莹
知识产权专员
Tucker Ellis律师事务所

Ying Chen | Intellectual Property Specialist | Tucker Ellis LLP
950 Main Avenue, Suite 1100 | Cleveland, OH 44113
Direct: 216-696-3371 | Fax: 216-592-5009
ying.chen@tuckerellis.com
tuckerellis.com

This e-mail is sent by the law firm of Tucker Ellis LLP and may contain information that is privileged or confidential. If you are not the intended recipient, please delete the e-mail and notify us immediately by return email.

Exhibit 7

Dear Sirs and Madams,

I am writing on behalf of Attorney David Steele and Attorney Steven Lauridsen to discuss some issues relating to the lawsuit between you and Facebook, Inc. and Instagram, LLC.

First, we are asking again if you will sign the Waiver of the Service of Summons forms and return them to us. The forms were attached to our last email, but if you need additional copies, please let me know.

We wanted you to know that by signing the forms, you will be confirming that you have received the documents filed in this lawsuit and accepted service of this lawsuit. If, however, you refuse to sign these forms, we will be moving to default judgement pursuant to Article 15 of the Hague Service Convention, which authorizes us to move for default judgement if we have submitted a request to the Chinese Central Authority and have not received confirmation of service after six months. We will provide additional notice when we prepare to file that motion.

Second, as we were not able to previously meet and confer as requested, the Court granted our prior motion to continue the Case Management Conference to December 17, 2019. Before the Case Management Conference, we need to discuss with you a number of topics raised in my prior emails no later than November 26th, 2019. Please let us know if you are willing to have a phone call or video meeting with us before November 26th, 2019.

Finally, we wanted you to know that if you are unwilling to have the pre-conference meeting and discussion, we intend to file a motion requesting that the Court further postpone the conference to allow us time to file our motion for default judgement and have it heard before the conference takes place. If you are unwilling to have the pre-conference discussions, will you agree to continue the Case Management Conference by about ninety days?

Thank you for your attention, and we appreciate your cooperation.

Regards,

Ying Chen
Intellectual Property Specialist
Tucker Ells LLP

Exhibit 8

证明书
CERTIFICATE
ATTESTATION

根据公约第六条，签署本证明书的机关荣幸地证明，

The undersigned authority has the honour to certify, in conformity with Article 6 of the Convention,

2019-SXS-1159

L'autorité soussignée a l'honneur d'attester conformément à l'article 6 de ladite Convention,

- ☐ 1. 文书已予送达*
that the document has been served *
que la demande a été exécutée *

— 日期: the (date) / le (date) :	_____
— 地点 (城镇、街、号): at (place, street, number) / à (localité, rue, numéro) :	_____

— 采用的第五条所规定的送达方法为:
in one of the following methods authorised by Article 5:
dans une des formes suivantes prévues à l'article 5 :

- ☐ a) 依公约第五条第一款第(一)项的规定。*
in accordance with the provisions of sub-paragraph a) of the first paragraph of Article 5 of the Convention*
selon les formes légales (article 5, alinéa premier, lettre a) *
- ☐ b) 依下述特定方法*
in accordance with the following particular method*:
selon la forme particulière suivante* :

- ☐ c) 交付给自愿接受的收件人。*
by delivery to the addressee, if he accepts it voluntarily*
par remise simple *

请求书中所列文书已交付给:

The documents referred to in the request have been delivered to:
Les documents mentionnés dans la demande ont été remis à :

收件人身份和说明: Identity and description of person: Identité et qualité de la personne :	_____
与受送达人的关系 (家庭、业务及其他): Relationship to the addressee (family, business or other): Liens de parenté, de subordination ou autres, avec le destinataire de l'acte :	_____

- ☒ 2. 由于下列事实文书未能送达: *
that the document has not been served, by reason of the following facts*:
que la demande n'a pas été exécutée, en raison des faits suivants* :

The recipient has moved, and the current address is unknown.

- ☒ 按照公约第十二条第二款，请申请者支付或补偿后附说明中开列的费用。*
In conformity with the second paragraph of Article 12 of the Convention, the applicant is requested to pay or reimburse the expenses detailed in the attached statement*.
Conformément à l'article 12, alinéa 2, de ladite Convention, le requérant est prié de payer ou de rembourser les frais dont le détail figure au mémoire ci-joint*.

附:

Annexes / Annexes

退还的文书: Documents returned: Pièces renvoyées :	complaint and summons
适当时，确认送达的文书: In appropriate cases, documents establishing the service: Le cas échéant, les documents justificatifs de l'exécution :	_____

*适当时
if appropriate / s'il y a lieu

制于 (地点) Beijing
Done at / Fait à

日期 Dec.05,2019
the / le

签名和 (或) 盖章
Signature and/or stamp / Signature et / ou cachet

18-1159



深圳市龙岗区人民法院

送达回证

(2019)粤0307协外送17号

收件人	九秀网络科技有限公司(深圳)有限公司			案由	知识产权权属侵权纠纷
送达地点	深圳市龙岗区坂田街道平安堂社区永信路1号城市山海V谷12			送达方式	直接送达
送达文件	签发人	送达人	收到日期	收件人签名或盖章	不能送达理由
传票			年 月 时 日 月 时		
起诉状及材料			年 月 时 日 月 时		
			年 月 时 日 月 时		
			年 月 时 日 月 时		
			年 月 时 日 月 时		
			年 月 时 日 月 时		
			年 月 时 日 月 时		
备注	已向原告公司送达。 附被告：刘海辉、莫丽娟 2019.8.6.				

注：1、如收件人不在时，将文件交与他的成年家属、工作机关或收件人居住地的村委会或街道办事处代收。

2、如系代收，代收人应在收件人栏内签名或盖章，并说明与收件人关系。

3、收件人收到文件后将此证寄回我院。

装

订

线

**REQUEST
FOR SERVICE ABROAD OF JUDICIAL OR EXTRA JUDICIAL DOCUMENTS**

**DEMANDE
AUX FINS DE SIGNIFICATION OU DE NOTIFICATION A L'ETRANGER
D'UN ACTE JUDICIAIRE OU EXTRAJUDICIAIRE**

2019-43-1159

**Convention on the service abroad of judicial and extrajudicial documents in civil or
commercial matters, signed at The Hague, November 15, 1965**

*Convention relative à la signification et à la notification à l'étranger des actes judiciaires ou extrajudiciaires en matière civile
ou commerciale, signée à La Hage, le 15 Novembre 1965.*

**Identity and address of the applicant
Identité et adresse du requérant**

L. Celeste Ingalls
Crowe Foreign Services
1020 SW Taylor Street, Suite 240
Portland, Oregon 97205
USA
Email: Lcl@foreignservices.com
Fax Number: 1 503 222 3950**

**Address of receiving authority
Adresse de l'autorité destinataire**

**Department of International Judicial Assistance
Ministry of Justice of P.R.O.C.
6, Chaoyangmen Nandajie
Chaoyang District
Beijing 100020, P.R.O.C.
Phone: 8610-6515 3113 Fax: 8610-6515 3144**

The undersigned applicant has the honour to transmit - in duplicate - the documents listed below and, in conformity with article 5 of the above-mentioned Convention, requests prompt service of one copy thereof on the addressee, i.e.,

(identity and address)

Le requérant soussigné a l'honneur de faire parvenir - en double exemplaire - à l'autorité destinataire les documents ci-dessous énumérés en la priant conformément à l'article 5 de la Convention précitée, d'en faire remettre sans retard un exemplaire au destinataire, savior:

(identité et adresse)

**9 Xiu Network (Shenzhen) Technology (also known as Jiuxiu Network (Shenzhen) Technology Co., Ltd.)
No. 112, Shanhai V Gu, 1 Hao Chengshi, Yongxiang Road
Maantang Community, Bantian Street, Longgang District, Shenzhen
(深圳市龙岗区坂田街道马安堂社区永香路1号城市山海V谷112)**

- ☒ (a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the Convention.*
a) selon les formes légales (article 5, alinéa premier, lettre a).
- ☐ (b) in accordance with the following particular method (sub-paragraph (b) of the first paragraph of article 5)*:
b) selon la forme particulière suivante (article 5, alinéa premier, lettre b):
- ☐ (c) by delivery to the addressee, if he accepts it voluntarily (second paragraph of article 5)*:
c) le cas échéant, par remise simple (article 5, alinéa 2).

The authority is requested to return or to have returned to the applicant a copy of the documents - and of the annexes* - with a certificate as provided on the reverse side.

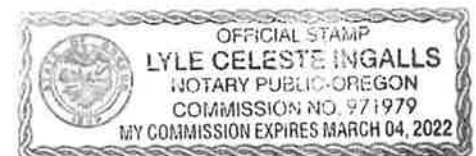
Cette autorité est priée de renvoyer ou de faire renvoyer au requérant un exemplaire de l'acte - et de ses annexes - avec l'attestation figurant au verso.

List of documents

Énumération des pièces

Done at Portland, Oregon, USA, the 7 day of June, 2019.
Fait à Portland, Oregon, USA, le...

Signature and/or stamp.
Signature et/ou cachet



L. Celeste Ingalls
L. Celeste Ingalls

- Executed "Summary" (2 pages)
*** Summons in a Civil Action
*** Complaint, with Exhibits 1 through 12
*** Civil Cover Sheet
*** Certificate of Interested Parties
*** Corporate Disclosure Statement
*** Report on Filing Determination
*** Case Assignment to Judge Tigar
*** Order Setting Initial Case Management Conference
*** Judge Tigar Standing Order
*** Standing Order-All Judges
*** Notice of Video
*** ECF Registration Information Handout
*** Notice of Availability of Magistrate Judge
*** Filing Procedures for San Francisco Division

*** Delete if inappropriate**

Rayer les mentions inutiles

- ** **Authorized applicant pursuant to Rule 4(c)(2) of the
Federal Rules of Civil Procedure, Public Law 97-462 462**
- *** **With Chinese translation**

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Northern District of California

FACEBOOK, INC., a Delaware corporation, and
INSTAGRAM, LLC, a Delaware limited liability
company,

Plaintiff(s)

v.

9 XIU NETWORK (SHENZHEN) TECHNOLOGY
CO., LTD; see Attachment,

Defendant(s)

Civil Action No. 3:19-cv-01167-JST

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* 9 XIU NETWORK (SHENZHEN) TECHNOLOGY CO., LTD

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

TUCKER ELLIS LLP
David J. Steele
david.steele@tuckerellis.com
515 South Flower Street, 42nd Floor
Los Angeles, CA 90071

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 03/04/2019



CLERK OF COURT
Susan Y. Soong

Thelma Nudo
Thelma Nudo

Signature of Clerk or Deputy Clerk

案件编号: 3:19-cv-01167-JST 文件 15 提交时间: 03/04/ 第 1 页, 共 3 页

AO 440 (修订: 06/12) 民事诉讼传票

美国地区法院

加利福尼亚北区

FACEBOOK, INC. (一家特拉华州股份公司) 和
INSTAGRAM, LLC (一家特拉华州有限责任公司)

原告
诉

九秀网络科技(深圳)有限公司; 见附录。

被告

民事诉讼编号: 3:19-cv-01167-JST

民事诉讼传票

收件人: (被告姓名和地址) 九秀网络科技(深圳)有限公司

我们收到了一项针对您的诉讼。

自本传票送达之日起 21 日内(不计送达当日)一或者如果您是美国政府或美国机构,或《联邦民事诉讼程序规则》第 12 条 (a) 款第 (2) 或 (3) 项中所述的美国机构、高级职员或员工,则为 60 日一您必须根据美国《联邦民事诉讼程序规则》第 12 条的规定向原告送达针对所附起诉书的答辩或动议。答辩或动议必须送达被告或被告律师,其姓名和地址如下所示:

TUCKER ELLIS LLP

David J. Steele

david.steele@tuckerellis.com

515 South Flower Street, 42nd Floor

Los Angeles, CA 90071

如您未予回应,法院将针对起诉书中要求的救济对您做出缺席审判。您还必须向本院提交答辩或动议。

日期: 2019 年 3 月 4 日



法院书记员

Susan Y. Soong

Thelma Nudo

书记员或助理书记员签名